

TABLE OF CONTENTS

1. Approval of September 5, 2014 Meeting Minutes (*Page 1*)
2. Authority Update (*Page 8*)
3. Director's Report (*Page 9*)
4. Consideration of Somerset Academy's Bond Issue to purchase Sky Point and North Las Vegas Campuses (*Page 10*)
5. Consideration regarding the Application Review Team's recommendation of Acadia's charter school application (*Page 14*)
6. Consideration regarding the Application Review Team's recommendation of Athlos Academy of Clark County's charter school application (*Page 23*)
7. Consideration regarding the Application Review Team's recommendation of the Equipo Academy East Las Vegas College-Prep's charter school application (*Page 37*)
8. Consideration regarding the Application Review Team's recommendation of NE PLUS ULTRA Preparatory Academy's charter school application (*Page 49*)
9. Consideration regarding the Application Review Team's recommendation of River Mountain Academy's charter school application (*Page 60*)
10. Consideration regarding the Application Review Team's recommendation of Sports Leadership and Management Academy's charter school application (*Page 70*)
11. Consideration regarding the Application Review Team's recommendation of Sterling Charter High School's charter school application (*Page 81*)
12. Consideration regarding the Application Review Team's recommendation of Y.E.S. Academy of Performing and Fine Arts' charter school application (*Page 92*)
13. Member Comment (*Page 102*)
14. Next meeting date: TBD (*Page 103*)

STATE PUBLIC CHARTER SCHOOL AUTHORITY

1

SUPPORTING DOCUMENT

S U B J E C T: Approval of September 5, 2014

Meeting Minutes

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority

RECOMMENDATION: approve

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins

SUBMITTED BY: _____

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

September 5, 2014

Grant Sawyer Building
Room 4412
555 East Washington Ave.
Las Vegas, Nevada

And

Legislative Building
401 South Carson Street
Room 2135
Carson City, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Kathleen Conaboy
Michael Van
Melissa Mackedon
Elissa Wahl
Robert McCord
Marc Abelman

In Carson City:

None

BOARD MEMBERS ABSENT

Nora Luna

AUTHORITY STAFF PRESENT:

In Las Vegas:

Traci House, Business Process Analyst, State Public Charter School Authority
Patrick Gavin, Director, State Public Charter School Authority

In Carson City:

Angela Blair, Education Program Professional, State Public Charter School Authority
Kathy Robson, Education Program Professional, State Public Charter School Authority
Katie Higday, Management Analyst, State Public Charter School Authority
Adrienne Lawrence, Administrative Services Officer, State Public Charter School Authority
Allyson Kellogg, Management Analyst, State Public Charter School Authority

Danny Peltier, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Carson City:

Shane Chesney, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Steve Werlein

Seth Rau

Dan Tafoya

Laruen Tevis

Caroline McIntosh

Ercan Aydogdu

Deb Roberson

Erin Cranor

In Carson City:

Donna Wix

Judy Osgood

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Conaboy called the meeting to order at 9:05am with attendance as reflected above.

Chair Conaboy called for a flexible agenda.

Member McCord moved for a flexible agenda. Member Abelman seconded. The decision was unanimous.

Agenda Item 1 - Public Comment

Member McCord remembered former State Superintendent Eugene Paslov, who passed away a few months earlier. He was commended for his hard work through many years on behalf of all children in Nevada.

Agenda Item 2 - Approval of July 18, 2014 SPCSA Meeting Minutes

Chair Conaboy said there were some edits that needed to be made. No members had any additional edits.

Member Mackedon moved for approval of the July 18, 2014. Member McCord seconded. The motion was unanimous.

Agenda Item 3 - Authority Update

Chair Conaboy said that legislative bill tracking had already begun and she would be working with staff to monitor bills that would have effect on charter schools during the 2015 Legislative session. She said there were BDRs related to facility funding, enrollment, teacher licensure, special education and public boards.

Agenda Item 4 – Director’s Report

Director Gavin thanked Chair Conaboy for her assistance in getting him familiarized with Nevada and the SPCSA. He said he had found there is a critical need to develop talent that already exists in the state and that it would be incumbent on the agency and the board to set a high bar in order to achieve the best results for students in Nevada. He said human capital is a constraint in this goal and it would be wise to advocate to key policy makers that this need be addressed in the legislative session.

He said the SPCSA opened three new schools for the 2014-2015 school year. He said three other schools’ charters had expired and they would have to resubmit an application in order to receive a new application. He said the SPCSA-sponsored schools’ enrollment now totals close to 20,000 pupils.

He said one critical point he wanted to make was the SPCSA would not continue growth for the sake of growth. He would like to see quality schools thrive while possibly closing charter schools that are not meeting academic expectations. He wants to emphasize to external operators that Nevada takes academic accountability very seriously and would not tolerate schools that did not meet this challenge.

Agenda Item 5 – Report on Preliminary Academic Performance Data

Joan Jurgensen, Education Program Professional, presented the preliminary academic data that was being released by the Nevada Department of Education. She said that the data was currently embargoed and wouldn’t be released until the 12th. She said that the SPCSA has one 1-star school, seven 2-star schools, and several 4 and 5-star schools. The exact rating and which school achieved the rating would be available once the data was not embargoed. Chair Conaboy asked if Ms. Jurgensen was able to see any trends in the data up to this point. Ms. Jurgensen said that currently it was difficult to see trends with the embargoed data.

Director Gavin said that staff would be putting together a “Quality Seats” metric which would be made available after the data was open to the public. Member McCord was impressed with the number of charter schools that had shown improvement from the previous year. He said those schools should be equally acknowledged for the hard work they had done.

Agenda Item 8 – SPCSA Budget Status

Director Gavin began by explaining the budgeting process for a state agency. He then spoke about the items the SPCSA would be including in its budget. He said the SPCSA would be looking to add 3 new positions over the next two years in order to help with increased work load as the SPCSA's charter portfolio grows.

He said money would be budgeted for incentive programs for developing and attracting high quality schools and operators to Nevada. He said he was setting money aside to create an SPCSA Publication that would be sent out to the schools and the public, which would provide information about charter schools in Nevada.

He said staff would be exploring training seminars for charter school leadership including Governing Board and Administrator classes. Also included in the budget were the day-to-day operating costs, travel expense, board expenses, and federal programs.

Chair Conaboy said she hoped that staff would reach out to the schools in order to see what needs they would like met. She said this should be a give and take relationship and that schools have to be involved with how the SPCSA would spend their fee money.

Chair Conaboy and Member Mackedon also spoke about the need to ensure the communities with the most acute educational needs have access to high quality schools. They had visited a group in Las Vegas a year ago and the group had mapped out some of the areas in Las Vegas that were underserved educationally. She said she would like to see funds go towards meeting needs in these locales with future charter school approvals.

Chair Conaboy asked if staff was planning on asking for an increase to the charter school loan account. Director Gavin said it was his intent to ask for an increase to the account in the upcoming legislative session and during the budgeting process.

Agenda Item – 9 Charter School Association of Nevada Report

Laruen Tevis, CSAN Executive Director, said CSAN was having their annual conference in the coming weeks and members of both the SPCSA Board and staff were all invited. She said some of the SPCSA-sponsored schools would be assisting in some of the breakout sessions at the conference. Ms. Tevis also said she would be more involved in the 2015 Legislative session. She said she would like to have more charter school voices heard during the session.

Agenda Item 10 – Report on Letters of Intent and Applications received

Director Gavin said the SPCSA had received 11 Letters of Intent and 8 full applications were received. The 8 charter applications received were: Equipo Academy, Y.E.S. Academy of Performing and Fine Arts, Sterling Charter School, NE PLUS ULTRA, Athlos, Sports Leadership and Management Academy, Acadia Prep and River Mountain Charter School. Staff and technical consultants will review the applications over the course of 60 days and the first hearing will take place on October 27, 2014 in front of the SPCSA board.

Agenda Item 4 continued – Update Regarding the Transition to Infinite Campus

Traci House, Business Process Analyst, said the transition was coming along well. She said there had been some bugs and glitches, but overall the schools were becoming much more comfortable with the system. She said that as schools work within Infinite Campus more, the system will become second nature to the users. Chair Conaboy asked if the schools would be ready for count day. Ms. House said she is very confident that the schools would be prepared for count day. Member Mackedon said that while the process has been trying at times, overall she thinks the process has gone about as smoothly as possible.

Agenda Item 7 – Presentation and Discussion with Nevada Interscholastic Activities Association regarding Charter membership

Erin Cranor, Chair of the CCSD board and member of the NIAA board, spoke to the Authority regarding a possible charter schools liaison with the NIAA. She said that the NIAA questions how to deal with charter schools only offering certain sports and student eligibility at their zoned school if the charter school did not offer the sport desired. She said all of the ideas currently are just ideas and no policies have been voted on yet.

Member Mackedon said that the rural districts have been having issues between charter schools and district schools with regard to participation in sports. She said a survey that was sent to charter schools around the state showed that Clark County and Washoe County schools haven't had nearly the problems that rural districts have had.

Trustee Cranor said the concept of a charter schools liaison will be placed on an NIAA agenda. She thinks that having a charter schools liaison on the NIAA board would allow the concerns to be expressed and then addressed by the NIAA board. Member Van said he hoped the charter schools would eventually have a voting member on the board. Trustee Cranor said she would take some of the ideas talked about with the Authority back to the NIAA for further discussion.

Agenda Item 11 – Member Comment

Member Wahl welcomed Patrick Gavin to the SPCSA and said she was excited to work with him moving forward.

Agenda Item 6 – Nevada Department of Education Academic Standards Report

Judy Osgood, Public Information Officer for the Nevada Department of Education explained Nevada Ready! She said that Nevada Ready! is a statewide initiative led by the Nevada Department of Education and the Nevada Board of Education, and is financially supported by the Nevada Public Education Foundation. The Department is partnering with the Nevada System of Higher Education, local school districts, and public and private organizations and agencies to raise awareness of the state's public school standards, which define what students are expected to learn and be able to do as they move from grade to grade.

Although standards are not new to education in Nevada, today's students are being taught under more challenging standards to prepare them for college and the modern workplace and to place Nevada's education system on par with every other state. Virtually all our state's education initiatives are built upon these standards -- with the goal of increasing expectations of what our students will know and master to be college and career ready, and equipped to compete globally.

Through a comprehensive communications initiative, Nevada Ready! will provide information to help educators, students, parents, community leaders and others understand the standards of education adopted by the Department and Board, the tests that will be given to assess student and teacher performance and ways to use those results to help students, educators, schools and school districts reach these new, rigorous standards.

The Nevada Ready! initiative started with a focus on implementation of new standards for English language arts and mathematics (commonly referred to as the Common Core State Standards), but also addresses new science standards adopted by the State Board of Education in February 2014 and standards in many other subject areas including social studies, the arts, pre-K/early learning, and career and technical education.

With more rigorous standards for learning come enhanced assessments. Because the new tests are based on higher expectations, new assessment data may show that fewer students score at a proficient level. Modernizing our expectations and updating our approach to education will not be an overnight project, but preparing our children for global competition is a shared responsibility for the entire state to embrace.

Agenda Item 12 – Public Comment

Lauren Tevis, Executive Director of CSAN, spoke about the NIAA. She said that CSAN has also spoken about having a representative on the NIAA board. She said she would like to see CSAN and the SPCSA work together to ensure all charter schools -- both district and SPCSA-sponsored -- are represented on NIAA.

Chair Conaboy called for a motion for adjournment. Member McCord motioned for adjournment. Member Van seconded. The decision was unanimous.

The meeting was adjourned at 12:17 pm

SUPPORTING DOCUMENT**S U B J E C T: Authority Update**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 3

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins****SUBMITTED BY:** _____

SUPPORTING DOCUMENT**S U B J E C T: Director's Report**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 4

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins****SUBMITTED BY:** _____

SUPPORTING DOCUMENT

S U B J E C T: Consideration of Somerset Academy's Bond Issue to purchase Sky Point and North Las Vegas Campuses

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 5

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA; Representatives of Somerset Academy and Academica

RECOMMENDATION: approve

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins

SUBMITTED BY: _____

JEFFREY S. BLANCK

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RECEIVED OCT 22 2014

jblanck@jeffreyblancklaw.com

October 16, 2014

State Public Charter School Authority
Attn: Allyson Kellogg
1749 North Stewart Street, Suite 40
Carson City, Nevada 89706

Re: Purchase of Real Property by Somerset Academy of Las Vegas

Dear Ms. Kellogg:

Below is the Executive Summary for the purchase approval of Somerset Academy of Las Vegas ("Somerset Academy").

I. Overview

Somerset Academy proposes to acquire educational facilities located at 7038 Sky Pointe Drive, Las Vegas, Nevada (the "Sky Pointe Campus") and 385 West Centennial Parkway, North Las Vegas, Nevada (the "North Las Vegas Campus," collectively the "Facilities"), which constitutes existing campuses of Somerset Academy. Somerset Academy proposes to finance the acquisition of the Facilities through the issuance of revenue bonds (the "Bonds") by Nevada's Department of Business and Industry. Upon closing of the bond financing, Somerset Academy will acquire fee simple title from the current owners pursuant to a Purchase and Sale Agreement (the "Purchase Contract") between Somerset Academy and the sellers. In connection with the project, Somerset Academy is seeking approval by the Authority, as sponsor, solely in respect to the proposed property purchases, pursuant to the authority granted by Nevada Revised Statutes Section 386.560.

II. The School

The Sky Pointe Campus is currently a K-10 campus with 1,452 students that will be expanding one (1) grade each year until it reaches 12th grade. The Sky Pointe Campus opened August of 2013. The Sky Pointe Campus is located at 7038 Sky Pointe Drive, Las

Vegas, Nevada. The North Las Vegas Campus is a K-8 campus with 1,162 students. The North Las Vegas Campus opened August of 2011. The North Las Vegas Campus is located at 385 West Centennial Parkway, North Las Vegas, Nevada. Somerset Academy operates on four (4) campuses that will eventually serve grades K-12. Total 2014-2015 enrollment for Somerset Academy at all campuses is 4,543 students.

III. The Facilities

The Sky Pointe Campus to be acquired was built in two (2) phases, which consists of two, two-story buildings situated on a land area of 12.14 acres or 644,818 square feet with a total of 251 parking spaces. Currently, the gross building area is 93,816 square feet with classrooms, two (2) multipurpose rooms, and a library. The Bond funds will purchase the existing properties and also purchase the third phase of the Sky Pointe Campus. The third phase will include a final build out of the high school building and a gymnasium. The third phase gross building area is 44,751 square feet.

The North Las Vegas Campus to be acquired is a one-story building situated on a land area of 4.8 acres or 199,940 square feet with a total of 154 parking spaces. The gross building area is 40,010 square feet with classrooms, two (2) multipurpose rooms, and a library.

Somerset Academy has been located in the Sky Pointe Campus for over one (1) year. The 2015-2016 lease payments for the Sky Pointe Campus will be \$156,381.00 monthly or \$1,876,573.00 annually. It is assumed that the addition of phase three scheduled to be built in 2015 will increase the lease payments at the Sky Pointe Campus by \$54,250.00 monthly or \$651,000.00 annually. Somerset Academy has been located in the North Las Vegas Campus for over three (3) years. The 2015-2016 lease payments for the North Las Vegas Campus will be \$61,885.00 a month or \$742,626.00 annually. The combined lease payments of the Sky Pointe Facility phases one, two, and three and the North Las Vegas Campus are \$3,270,199.00. Once the Bonds close and the proceeds are used to purchase the Facilities, estimated debt service payments due by Somerset Academy will be approximately \$250,000.00 monthly or \$3,000,000.00 annually, with savings to Somerset Academy of \$265,000.00 to \$275,000.00 within its first year.

October 16, 2014

Page 3

IV. Plan of Financing

Nevada's Department of Business and Industry will be the issuer of the Bonds. In addition, a TEFRA hearing¹ is expected to be scheduled for the end of October 2014. Proceeds of the Bonds will be loaned to Somerset Academy, as borrower, and used by Somerset Academy to acquire the Facilities, to make certain required deposits, and to pay for costs of issuance of the bonds. The Bonds have yet to receive a rating from Standard & Poor's Ratings Service. Ballard Spahr, LLP serves as bond counsel; D.A Davidson, LLC, serves as the underwriter; Russell Caldwell Company, LLC serves as financial advisor; and the Law Office of Jeffrey S. Blanck serves as counsel to Somerset Academy. The issuance of the Bonds and the acquisition of the Facilities are expected to close on or about December 14, 2014.

V. Requested Staff Recommendation

Somerset Academy requests that the Authority approve the property purchase by Somerset Academy.

Sincerely,



JEFFREY S. BLANCK, ESQ.

JSB:hh

cc: Somerset Academy

¹ A TEFRA hearing is a public hearing required by the IRS to be held before the Governor can approve the issuance by CHEFA of tax-exempt debt. The hearing gives the public the opportunity to comment on the use of the tax-exempt funds by the borrowing institution to finance its capital needs.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Acadia's charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 6

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 45 mins

SUBMITTED BY: _____

Acadia Preparatory Academy

Charter School Application Recommendation Report

Proposal Overview

School Name

Acadia Preparatory Academy

Mission (Application Item A.1.2)

It is the mission of Acadia Preparatory Academy to provide parents with safe and nurturing school communities, where their children can obtain a quality education.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2016)	Elem/Middle	K-8	585
Year 2 (2017)	Elem/Middle	K-8	900
At capacity	Elem/Middle	K-8	1,000

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Does not meet the standard

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

The application proposes an academic program which is based on what the Committee to Form describes as the essential standards. Limited detail is provided on the program and there is no evidence that it will result in high achievement for students.

Analysis

The applicant provides limited information on the proposed curriculum and furnishes only a brief overview of how the program will be implemented. There is no information provided in the narrative to allow the reader to determine what the applicant means by “essential standards.” It is not clear if this is a reference to the Nevada Academic Content Standards, some chosen subset thereof, or if it refers to the standards from another state. Based on a review of the course descriptions supplied, it is unclear whether the proposed content is fully aligned to the NACS. Moreover, the applicant did not complete or sign the curriculum alignment attestation required of all applicants. As a result, there is no evidence that the academic program proposed for the school will be sufficient to address Nevada’s content requirements.

The applicant’s description of the professional development program is similarly unresponsive. There are references to calendars, needs assessments, and school improvement goals, but there is little information provided to assist the reader in understanding the professional development program at the school. There are also references to special education training, data training on testing data, and a refresher course on the Common Core Standards during two weeks of pre-opening training. These measures do not provide a coherent framework for professional development that is likely to support effective implementation of the curriculum. There is no evidence of a professional development plan sufficient to meet the needs of teachers and students in a school which eschews textbooks.

There are significant discrepancies between the policy for pupil promotion, which states that a student who passes three core courses in three quarters is eligible for promotion, while the attachment which outlines courses which must be completed for promotion sets a significantly higher bar: successful annual passage of all core academic subject areas: reading, ELA, social studies, mathematics, and science. It is unclear which standard reflects the aspirations of the Committee to Form. Consequently, the evidence of appropriate standards for academic promotion is limited.

Taken as a whole, there is no evidence that the academic program proposed in the application will result in the achievement of high standards, i.e. 4 or 5 star status, by this school.

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

The proposed school would not contract with an EMO. The school leadership would include a principal, an assistant principal, and an administrative office manager. The operating plan elements include numerous omissions and partially responsive information.

Analysis

The bylaws submitted for the school are unresponsive as they do not comply with the application instructions. There is insufficient evidence that they comply with applicable statutes or regulatory requirements. The applicant also omitted the required insurance quote by the application deadline, stating that the insurance broker who was contacted was unable to produce an accurate quote “as there are a number of unknown factors involved.”

The proposed special education policies appear to have been copied from an Arizona policy, as the text refers to Arizona law and there are references to the Union High School District. There is no such district in Nevada. Similarly, the applicant borrowed a sample RTI flowchart and forms directly from examples posted on the SPCSA website despite explicit directions not to copy materials without modifying them to meet the context of the individual school, e.g. modifying the assessments referenced in the referral forms to match the assessment tools and academic standards used by the school. In yet another instance, the applicant copied a full continuum of service diagram without adjusting the continuum to match the models discussed in the application, resulting in a significant discrepancy between the narrative, which described a full inclusion model, versus the diagram which included a broad spectrum of placements, including alternative placements and self-contained classrooms. Such discrepancies place operating schools at significant legal and financial risk.

Financial Plan

Rating

- ***Does not meet the standard***

Plan Summary

Projected enrollment for FY '16 is 585 students and FY '17 is 900 students. The applicant did not provide all the budget forms, precluding thorough analysis of the budget.

Analysis

The applicant's first year revenue estimates appear to be overly aggressive, as they assume a state loan of \$250,000 from the SPCSA and include an opening balance of \$30,000. Applicants are strongly urged to assume no additional loans or philanthropy to subsidize the operating budget, as such anticipated funds do not reflect the conservative approach that all applicants are expected to utilize. Similarly, it does not appear that special education enrollment expectations are sufficiently conservative. It is likely that far more than 6% of students at Acadia will be students with disabilities. Moreover, the projected costs of salaries and benefits to cover an appropriate special education caseload are far too low. In addition, the budget does not reflect SPCSA guidance on conservative expense budgeting for ELL services, GT programming, and special education supplies and transportation.

The applicant did not provide a break-even budget outlining worst case scenario projections. An FY '17 budget and cash flow were also omitted.

Performance Record

Rating

- ***Does not meet the standard***

Plan Summary

The applicant is not planning to contract with an Education Management Organization. While the applicant cover sheet references a replication of the Beyond Textbooks model, information related to the model and its effectiveness is omitted.

Analysis

No information is provided in the required section to permit the review team to evaluate the effectiveness of the Beyond Textbooks model as a comprehensive school design. While the coversheet to the application references such a replication, there is no information provided to assess the effectiveness of this program. A review of other sections of the application and information from the capacity interview indicates that the Committee to Form is not contemplating a full replication of this school design although it will borrow some elements from it.

If this is not intended to be a replication, the applicant is encouraged to remove references to such a process from the applicant cover sheet. In the event that a more faithful replication or adaptation is desired, the applicant is urged to furnish the requested data and documentation outlined in the EMO/Replication section of the application to permit a thorough review.

Evidence of Capacity

Rating

- **Does not meet the standard**

Plan Summary

Five members of the Committee to Form are identified in the application. There is evidence of conflicts of interest and limited evidence of governance capacity among the proposed board members.

Analysis

Several of the applicants describe themselves as experienced charter school leaders, operators, and governing board members from Arizona. Three members of the Committee to Form are currently employed at the same school: Hillcrest Academy in Phoenix, AZ. Two of these individuals are also married to each other. M. Hunsaker, a proposed board member, is married to J. Hunsaker, who is a proposed administrator at the school. Only one member of the Committee to Form is currently a Nevada resident; three others intend to relocate to Nevada following charter approval. A fourth member, K. Johnson, who is described as a licensed teacher, will exit the Committee to Form following charter approval. None of the applicants who are listed as licensed educators provided evidence to verify their status.

The current Committee to Form is replete with real and potential conflicts of interest, including a marriage between two parties and what appear to be close business or supervisory relationships between an individual listed as the Superintendent of an Arizona-based school, the principal of that school, and a teacher at that school. No strong rationale (e.g. rural school status) exists to justify why these spouses serve on the Committee to Form or why the entity charged with overseeing school leadership would include someone married to an administrator. Such conflicts of interest, if they continue to exist, must be managed and clearly discussed in the school's bylaws. Absent a revision which conforms with this expectation and an application narrative which presents a compelling case for such a structure, this conflict strongly argues against approval of the application. Moreover, in the event that one or the other conflicted members elects to withdraw from the Committee to Form, the bylaws and any performance agreement entered into by the Authority must include language which would explicitly forbid the re-emergence of that conflict or a similar arrangement following the approval of the charter.

The composition of the group which participated in the interview also argues strongly against approval. Four members of the Committee attended the meeting: J. Hunsaker and N. Kirkley, current colleagues who will work for the school; K. Johnson, a self-described consultant on the project who will leave the Committee following charter approval; and M. Hunsaker, spouse of J. Hunsaker and proposed board member. As a result, the only potential member of the governing board represented at the capacity interview was the spouse of one of the proposed administrators.

Consequently, while the capacity interview participants provided the review team with some insight into potential members of the operating team, there is insufficient evidence of adequate board governance capacity to support the development, governance, and operation of this school from the Committee to Form.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Athlos Academy of Clark County's charter
school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 7

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 45 mins

SUBMITTED BY: _____

Athlos Academy

Charter School Application Recommendation Report

Proposal Overview

School Name

Athlos Academy of Clark County

Mission (Application Item A.1.2)

Athlos Academy of Clark County empowers students to live fulfilling, responsible, and successful lives by building on the three foundational pillars of Prepared Mind, Healthy Body, and Performance Character.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	Elem/Middle	K-8	965
Year 2 (2016)	Elem/Middle	K-8	1250
At capacity	Elem/Middle	K-8	1250

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Does not meet the standard

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

The applicant proposes a school with a three part emphasis on academics, physical education, and character education. To support the program, the applicant plans to use a variety of curricular resources, including the Core Knowledge Sequence, Spalding Reading, Junior Great Books, Saxon Math, and the EMO's Athlos Athletic and Character Curriculum. There are significant flaws to the academic plan.

Analysis

The applicant made several significant omissions, including the following required elements which were not included in this application.

1. A narrative describing the relevant instructional strategies that will be necessary for successful implementation of the curriculum; and
2. A narrative providing a coherent framework for professional development that is likely to support effective implementation of the curriculum
3. A narrative explaining the school's policy regarding the transfer of credit to another comparable school (NRS 386.582; NAC 386.150(8));

While references to the first two areas, instructional strategies and professional development, are sprinkled throughout the application, these scattered references are not responsive to these requirements.

There is no one curriculum model. Rather, the curriculum appears to be a combination of textbooks supported by the EMO in multiple states, including some jurisdictions (e.g. Texas) which have not adopted standards which are aligned with the Nevada Academic Content Standards. This raises the risk that the content delivered will be based on the scope and sequence of decade-old textbooks and frameworks which purport alignment to the NACS; this is contrary to the more generally accepted and effective practice of textbook and overall content selection, where attention of NCSC alignment is of prime importance and resources are identified to explicitly and intentionally address standards instead of standards being crosswalked to previously existing texts to meet the commercial needs of publishers.

Using multiple curriculum models and instructional strategies (Core Knowledge, Spalding Reading, Junior Great Books, and Saxon Math) will create an extensive need for professional development and work sessions to ensure NACS alignment and teacher fidelity to multiple instructional models and strategies. There is no evidence of a strong connection between the school's curriculum, pedagogy, and professional development. For example, staff is also expected to use multiple approaches to instruction including differentiated, whole group, small group, and individual instruction. There is no reference to professional development for these instruction strategies, other than some discussion of direct instruction.

There is no evidence of ongoing professional development, professional learning communities, or other forms of accountability and assistance for staff essential to implementing such an ambitious and potentially conflicting set of curriculum tools. For example, the calendar and school schedule do not assign routine collaborative times to review the impact of instructional strategies (using data) and/or time or a method for administration or individual teachers to analyze and modify instruction. Given the myriad of instructional tools identified and the lack of information regarding a coherent framework for support and implementation, these omissions are particularly glaring.

There is also little evidence of any professional development and/or teacher accountability to innovative and effective instructional practices. There seems to be no ongoing professional development (other than summer scheduled workshops) to assist, modify, and ensure staff are using effective instructional strategies, especially those students with diverse linguistic and cultural backgrounds, as well as those students who are below grade level. Throughout the application there is reference to professional development that is offered by the EMO or other contractors but no professional development days are scheduled on the school calendar, other than a note that some professional development will occur before school starts. There is also no attached list or schedule of professional development activities or timelines. There is also some reference to pre-opening professional development, which would be provided by publishers or other third parties instead of being developed and implemented by individuals knowledgeable of the school and its instructional models. This pre-opening professional development consists of exposure to the main sources of content: Core Knowledge, Saxon Math, and Spalding Reading.

The bevy of content options offered highlights the lack of provision for curriculum mapping to align the Core Knowledge Sequence, Spalding Reading, Junior Great Books, Saxon Math, and the Athlos Athletic and Character Curriculum to the Nevada Academic Content Standards. This is particularly glaring in the area of language arts, where content would be pulling from four sets of content standards and resources: Nevada Academic Content Standards, Spalding, Core Knowledge, and Junior Great Books. There is no evidence curriculum mapping has already been accomplished or that there is a strong plan in place which would allow for teachers and administrators to learn how to develop their own curriculum maps to these content resources to ensure they are making the best possible choices (or even marginally effective choices) to meet the needs of their students and address the NACS expectations.

The narrative makes several references to Direct Instruction. It is unclear from the narrative if the applicant is referring to Direct Instruction, aka DISTAR, a high scripted set of elementary reading and mathematics curricula which are rarely used school-wide due to known issues with the alignment of these programs to either previous state standards or to the Common Core, or to the instructional strategy of direct instruction, which is characterized by “teacher talk” and, when used as the primary method of instruction, often correlates with the mastery of only basic levels of content absent significant investment in teacher training and school-specific content and professional development.

The information provided on the proposed physical education program is insufficient. Based on the level of detail provided, it does not appear that the physical education plan is fully aligned to the appropriate Nevada standards. This is one-third of the foundation of this charter school but the narrative insufficient attention to the implementation of this program. This program and the character education program are at the core of

the EMO's academic value proposition to the school, but there is no clear plan for implementation (e.g. timelines, benchmark reviews, assessment reviews, responsible parties, criteria for success). Such elements should be clearly identified to allow for the administration and the board to hold the EMO accountable for implementation and support.

The academic models are unproven. Consequently, the contemplated enrollment and grade span is excessive for a startup school. The applicant is encouraged to revise the enrollment and grade span request to a number which is more manageable and appropriate to a startup school.

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

The school would hire an EMO, Athlos, to provide financial management services and to support the board in the implementation of the academic program. The EMO would also be responsible for employing the school leader and for supporting the board with a variety of other operational and academic activities. There are numerous problems with the proposed management and operating plan.

Analysis

The EMO proposes to charge a management fee of 12 percent of local, state, and federal revenues. Due to state and federal restrictions on the use of Title dollars and the authority's role as the LEA for schools, the provision for a 12 percent fee on federal revenues is problematic.

The proposed bylaws of the school are prefaced by a letter from an attorney referencing another Nevada charter school.

The discipline policy and code of conduct provide the opportunity for a well-rounded and reasonably safe and orderly learning environment. The school mission is based on the teaching of Performance Character and its integration throughout all content areas.

Staff, students, and parents are all involved in a variety of levels from minor infractions to serious criminal offenses. Legally sound policies for student discipline, suspension, dismissal and expulsion NRS 392.4655 through NRS 392.4675 are established. The Student Launch Report and Athlos Report Card, which requires parents to set goals with and assess their student, can provide the opportunity for intervention at the most basic level.

There is a clear strategy for engaging parents and guardians in the life and culture of the school using a multiple of approaches. Student Launch Reports and Athlos Report Cards require parents to set goals with and assess their student on each of these traits at various times throughout the year.

Parent/student/teacher conferences, open houses, email and phone communication, parent and student surveys, parent participation on committees, and parent participation on the Board are additional strategies. Parent and student satisfaction surveys will give parents and students an opportunity to impact their school.

In the narrative A.8.6, the school identified guidelines but failed to provide a clear explanation of the proposed school's process and/or plans for their Special Education Program. Instead they gave the rationale for including the guidelines. Multiple required elements related to special education and gifted and talented processes and procedures (e.g. flowcharts), were not included.

Contrary to Nevada Administrative Code (which limits the initial term of management contracts to two years) and to best authorizing practice nationally, the management agreement term is longer than the maximum six year charter term. The management agreement provides that the contract term will extend until such time as the charter is revoked, surrendered, or not renewed. "Organization agrees that so long it holds a Charter for a School, Organization shall engage Provider for the Services (defined in Section 5 below), pursuant to the terms and conditions of this Agreement." There is no provision for evaluation of the contract as part of the charter renewal process.

The management agreement limits, to some degree, the board's ability to inspect the books and records of the school. The management company commits to "provide the back-office and accounting services, including payroll, accounts receivable, accounts payable, and other necessary accounting functions; provided, however, Provider shall provide full disclosure and access to such records as Organization may reasonably require." The provider cannot place its judgment [or, indeed, a general legal definition of reasonableness regarding the reasonableness of a request for the school to inspect its own books and records above that of either the school board or the authority. Such a provision is contrary to public policy and state and federal law.

The termination provisions of the agreement unreasonably favor the provider and are not sufficiently mutual. Moreover, the loose definitions of the services provided in the agreement allow significant wiggle room for the EMO. Most services listed "assist" the board with various activities, e.g. staff recruitment, limited technology administration, professional development, expansion planning, etc. The only clear commitments relate to the provision of the company's athletic program and associated materials, clothing, and training. Additionally, the cure provisions listed are overly broad, allowing the contract to continue beyond a 90 day notice and cure period for "such longer period as may be necessary to cure the breach or default, if Provider has commenced and is pursuing a cure." Absent clear evaluative criteria and performance standards, this provision permits the EMO to continue to collect funds based on effort versus on effective delivery of services.

The language of the management agreement provides that it is confidential and proprietary. This is contrary to Nevada's public record requirements.

The agreement provides that the school may not operate a similar program if it terminates the management agreement: this provision, if interpreted broadly or in a risk-averse manner, effectively requires the school to amend its charter to remain in operation and might require a school to cease providing instruction in a core area such as athletics. This is impermissible: while a vendor may require a school to cease implementing a licensed program once the license term has ended, a vendor cannot dictate the terms of a charter agreement between a school and the Authority by preventing the school from purchasing a similar program from a competitor or developing its own program to meet the terms of its mission and vision.

The management agreement provided is a boilerplate agreement; there is no evidence the committee to form has taken the time to negotiate an agreement which is specific to the needs of this school and community nor is there any evidence of non-negotiable terms articulated by the committee to inform negotiations.

The facility will be owned by an EMO affiliate—there is no explicit provision allowing the school to stay in the facility if the management agreement is terminated. The negotiation and execution of the management agreement and the lease are listed as linked, simultaneous activities in the application.

The operating model appears to be configured to generate a particular economic return to investors instead of stellar academic outcomes for students and families. The contemplated enrollment and grade span is excessive for a startup school which is not a replication of a similar program serving a similar population. The applicant is encouraged to revise the enrollment and grade span request to a number which is more manageable and appropriate to a startup school.

Financial Plan

Rating

- ***Does not meet the standard***

Plan Summary

Projected enrollment for FY16 is 965 students and FY17 is 1250 students, yielding ending cash flow statement cash balances of \$30,272 (FY16) and \$451,201 (FY17). While there are some omissions which preclude full analysis, there is sufficient data in the budget to raise serious concerns about the financial sustainability of the project.

Analysis

In some cases budget forms with the logo of the EMO were provided. These forms are not structured in the same way as the mandated templates and appear to have been missing some information. In some cases the form provided is only marginally legible, making review difficult. The budget narrative does not provide sufficient detail to vet expense assumptions.

While the applicant submitted a budget, it included a variety of highly aggressive revenue and financing assumptions. A responsive worst-case scenario budget detailing at what point the school can break even was not provided.

The costs associated with the facility appear excessive and unreasonable as a percentage of revenue (26%). Consequently, the project is only able to meet its rent, management fee, and general expense obligations if it achieves its ambitious enrollment targets and there are no unanticipated expenses.

While the applicant indicated in the interview that there is a possibility of management fees being reduced, deferred, or forgiven in the event of a revenue shortfall or cost overrun, there is insufficient information provided in the budget or in other attachments to permit thorough evaluation of this scenario and determine whether the school would be able to remain a going concern under such circumstances.

Given the EMO's lack of connections to Nevada, its limited operating history in other states, and the small size and composition of the current board, there is also substantial risk of an enrollment miss and concomitant revenue shortfall. If the applicant adjusts the enrollment and grade span, the budget and finance plan will also need to be modified.

Performance Record

Rating

- ***Does not meet the standard***

Plan Summary

The applicant proposes to partner with an education management organization, Athlos Academies, and with several affiliate companies for management, curriculum, and facility construction and finance services. The limited operating history of and lack of transparency from the EMO argue against this partnership as currently envisioned.

Analysis

The name of the EMO listed on the cover page of the application (Athlos Academies) and the name of the EMO as listed in the management agreement (School Model Support LLC) do not match. The applicant and its EMO declined to provide financial performance data on the entity, the affiliated non-profit and LLCs referenced throughout the document, or any schools for which it provides services. This is an unacceptable omission which does not permit the Authority to evaluate the capacity or effectiveness of the EMO in managing school business operations, a key component of its management services. Moreover, given the central importance that the applicant group placed on the facility construction and financing capacity of the entity's development arm in their selection of the EMO and the network of overlapping entities which would support the school in some capacity or another, the decision to not provide any supporting evidence regarding the operating history or capacity of that affiliated LLC (e.g. track record of successful facilities development) in the application raises troubling concerns about the degree of transparency the board can expect from its EMO and that the Authority can expect from either party.

No evidence is provided to support the contention that this school and its EMO provider will be academically successful implementing this program. The applicant notes that this is the first year the EMO has provided academic services to any schools, so there is no track record of success from which to judge its effectiveness in this area. The applicant notes that many elements of its model have strong track records but provides no evidence to support the contention that the off-the-shelf core academic curricula mentioned in the application can be supported by the EMO in question. The applicant also fails to disclose that there are multiple examples of EMO-affiliated schools with similar operating structures using similarly celebrated curricula where the academic results have been poor enough to necessitate closure or restructuring of entire networks of schools. The applicant provides no evidence of lessons learned from such implementations and lacks a compelling rationale for why this EMO will have a better track record. This lack of an academic track record raises grave concerns, as the Authority is being asked to approve the replication to Nevada of an unproven school model.

Based on due diligence on the operation of Athlos Academies in other states where the EMO currently operates, it is important to note that the company has primarily partnered with existing high-performing schools; any future analysis of the EMO's track record will necessitate taking into account historic baseline data to determine whether the EMO can be effective in contexts where there is not already a high-performing school in operation. Moreover, it is important to note that other authorizers have elected to

deny applications from groups proposing to partner with Athlos based on concerns similar to those raised in this review.

Evidence of Capacity

Rating

- **Does not meet the standard**

Plan Summary

The Committee to Form the School consists of five members, two of whom are related (father and son). All members are identified as potential board members at this time. There are significant concerns around governance capacity.

Analysis

The Committee to Form the school are highly respected professionals with significant accomplishments in education (including a CCSD administrator and a teacher who previously taught at a charter school out of state) as well as senior executives at locally and nationally recognized health care organizations.

Two of the members of the Committee to Form are related: J. Tod Bunker and Jon Bunker. Additionally, two members of the Committee hold past employment relationships: K. Lefevre worked in the school led by K. Singer. No strong rationale (e.g. rural school status) exists to justify why these relatives and other potentially conflicted individuals serve on the Committee to Form or would serve on the board together. Moreover, the proposed management agreement also provides for a non-profit affiliate of the EMO to appoint two additional board members; this arrangement, highly problematic in any charter school context, is even more unacceptable given the other overlap and conflict issues already in evidence.

The provision permitting the appointment of board members by an EMO affiliate is unacceptable and must be removed from the contract and the bylaws. Absent a significant expansion and diversification of the Committee and the Board, the current size and overlap provides one family with far too much influence and voting power over the disposition of public funds and the welfare of Nevada children. In the event of significant expansion of the board, these conflicts of interest, if they continue to exist, must be managed and clearly discussed in the school's bylaws. Absent a revision which conforms with this expectation and an application narrative which presents a compelling case for such a structure, this conflict strongly argues against approval of the application. Moreover, in the event that the identified issues are addressed, e.g. the EMO affiliate appointment provision is removed and one of the conflicted members elects to withdraw from the Committee to Form, the bylaws and any performance agreement entered into by the Authority must include language which would explicitly forbid the re-emergence of these conflicts or similar arrangements following the approval of the charter.

Despite the records of professional and civic accomplishments evidenced by the Committee to Form, the boilerplate nature of the management agreement, the lack of knowledge of the Committee to Form regarding key provisions of the contract, and the Committee to Form's dismissal of Authority staff's concerns regarding problematic elements of the agreement, including overly generous compensation, renewal and termination terms that favor an entity with no operating history or academic track record, raise grave concerns around the capacity of the proposed board to oversee the EMO and hold it accountable for public funds and the academic achievement of the proposed school's students.

Given the EMO's lack of connections to Nevada, its limited operating history in other states, and the small size and composition of the current board, there is also substantial risk of an enrollment shortfall.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
the Equipo Academy East Las Vegas College-
Prep's charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 8

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 45 mins**SUBMITTED BY:** _____

Equipo Academy

Charter School Application Recommendation Report

Proposal Overview

School Name

Equipo Academy

Mission (Application Item A.1.2)

The mission of Equipo Academy is to empower students to meet high expectations, excel to and through college, and become transformational leaders for East Las Vegas. Equipo Academy will bring together committed families, educators, and community partners willing to do whatever it takes for all students to achieve these goals.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	Middle	6-10	468
Year 2 (2016)	Middle/High	6-11	576
At capacity	Middle/High	6-12	756

Recommendation

Overall Recommendation

Deny: The Committee is encouraged to revise and resubmit the application within the 30-day NRS 386.525 resubmission window. The deficiencies in the application preclude entering into a charter contract at this time, but could be corrected in a manner that does not fundamentally alter the school's proposed program. If corrected to the satisfaction of SPCSA staff and resubmitted pursuant to NRS 386.525, staff would recommend entering into a charter contract.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Not applicable

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

The Equipo School Design revolves around five pillars drawn from a growing body of research into the key features of consistently high performing schools serving disadvantaged populations: high expectations for all, transformational teachers and leaders, innovation driven by data, a pathway to and through college, and the joy factor. Building on the work of the leadership team and faculty at El Dorado Prep and the Scholars Working OverTime program in East Las Vegas, the Committee to Form has set an ambitious goal for its students: 100% college acceptance for its first graduating class and the eventual return of an Equipo graduate to lead the campus.

Analysis

Equipo Academy is a proposed college preparatory school which proposes to use a process called Understanding by Design, where the State Standards serve as the curriculum and teachers utilize backwards mapping to drive the planning and choice of curricular materials for each unit of instruction. The research base for this approach is not provided; a compelling justification is required. The Understanding by Design process can create a serious compliance issue for charter schools due to the provisions of NAC 386.626 and related regulations, which require charter applicants to include a listing of textbooks by content area and grade level, including title, author, publisher, and copyright, to be used at the school. The applicant must include such a list in order to be granted a charter. The applicant may elect to provide an explanatory discussion of how the usage of such textbooks may differ within the context of an Understanding by Design implementation, e.g. as resources or supplements versus as the primary drivers of instruction. It is also unclear what support and guidance teachers will receive in selecting appropriate authentic texts to support Spanish and English courses—e.g. a list of high quality texts from which to draw. While teachers will be expected to plan lessons based on UbD curriculum maps, the proposal did not identify a clear plan and process to support the development of the maps or the school-wide benchmarks.

The instructional strategies section provides only a cursory discussion and does not meet the standards set forth in the evaluative criteria. The section referenced high-impact instructional strategies with high expectations and refers readers to an attachment which includes a description of the SIOP model. It does not appear that the attachment was included in the proposal. Additionally, the full listing of instructional strategies promised in the narrative is missing from Attachment A.3.12.

A typical daily schedule, including breaks and lunch, for each grade level must be provided an attachment. Only one schedule was provided and the grade level wasn't specified. There are discussions of scheduling practices elsewhere in the document, however. It is unclear how 6th grade students will have time for all required courses if they are placed in double blocks of math and language arts. The applicant must clarify whether students will receive double credits for core subjects or if the second block will count as electives.

More robust content explaining the school policy on promoting students to the next grade level and for graduation from the school must be provided in the requisite locations. For example, the required promotion policies in Attachment A.3.7 were omitted. It is unclear what happens to students who do not achieve the 70% grade average or the 90% attendance policy required for promotion to the next grade. The applicant must explain what strategies the school will utilize to prevent the creation of credit deficient students. The applicant must provide a compelling rationale for the requirement that students receive prior written approval for summer school in any school system other than Equipo in order to be promoted to the next grade level. A justification is not provided for the requirement of enrolling in a 100 hour summer school.

The use of student data section references an attachment but the attachment is not included in the proposal. The data management plan outlined an incomplete system for participating in the statewide system of assessment and accountability. Specifically, mandated state assessments were not referenced. The applicant should revise this section to incorporate information that includes proficiency exams in the content areas and how the school will monitor data for credit deficiencies and who will be responsible for monitoring that information.

The applicant does not specify who will provide the necessary professional development. It is also unclear who will observe and evaluate teachers. Specific materials are mentioned such as case studies of excellent teaching, but it is unclear where these materials will come from and how teachers will access them. In the special populations section it states that all staff will be expected to participate in sheltered English instructional training using the SIOP protocol. This requirement is not mentioned in the general section regarding professional development. It is unclear what type of professional development and coaching will be available to teachers who are unfamiliar with the exit ticket/analysis of data process. The application specifies that staff will be required to attend pre-opening professional development but it is unclear how they will be paid for working two weeks before the start of school. There are also references to visits to high performing charter schools outside of southern Nevada but there is insufficient information to explain how those costs will be covered.

The school assessment plan must be included as an attachment, including a list of the instruments (tests, diagnostics, survey, or other) to be used. A comprehensive assessment plan clearly identifies the assessment(s) by grade level and a timetable as to when the assessment(s) is administered. Moreover, the applicant must fully demonstrate understanding of and commitment to compliance with assessment requirements applicable to all Nevada public schools consistent with state law and relevant policies of the State Public Charter School Authority. (NAC 386.150(7), NRS 386.550(1)(g) and (h), NAC 389.048-.083; NAC 386.150(7), NRS 386.550(1)(g) and (h), and NAC 389.048 - .083).

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

The Committee to Form intends to found a new school housing the leadership, faculty, and many of the students of El Dorado Prep, the only five star middle school in East Las Vegas. While the applicant currently runs an excellent program, there are additional growth areas which must be addressed if the applicant is to operate a successful charter school.

Analysis

The applicant has set ambitious enrollment targets and communicated a strong academic justification for such a large first year enrollment during the capacity interview. A compelling academic rationale for such a large first year enrollment and an operational plan to support it must be formally articulated in order for this request to be considered by the Board, particularly in light of evidence that argues persuasively for smaller schools serving narrow grade bands.

While the enrollment guidelines and procedures were clearly articulated, an attachment that included an explanation and evidence to support the enrollment projections was not included. The description of the lottery system was not provided as an attachment. The applicant must also provide narrative that describes the targeted population and the reasons why the school believes this population is under-served in the community could include statistics that supports their beliefs in an objective manner. The applicant must fully explain how the school will be publicized and marketed throughout the community to a broad cross-section of families and prospective students. Include strategies the school will use to reach families that are traditionally less informed about educational options. It is also unclear why the enrollment window is so short.

The applicant failed to provide enrollment data from schools currently operating in the community and the 200 families' letters of interest were not included as evidence to support the school's enrollment targets. The applicant must clearly state whether the school will limit the enrollment of pupils to a specified number or ratio of teachers to pupils pursuant to NAC 386.353 and NAC 386.180(7). If so, the applicant must identify if that number is per grade, for the entire school; or a particular ratio. It is unclear if the school will have a teacher to student ratio limit.

The applicant provided an incomplete description of the organizational structure of the school and its day to day operation. Explain the management roles and responsibilities of key administrators with respect to instructional leadership, curriculum development and implementation, and personnel.

The applicant failed to describe how the charter school will carry out the provisions of NRS 386.490 to 386.649, inclusive. What is listed in the narrative is simply a regurgitation of the law instead of a specific

plan of action for what compliance will look like for Equipo, its board and its leadership. It is essential that the applicant explain how the school will fully comply with key provisions of the law.

The applicant proposes an ambitious calendar but fails to provide a compelling rationale for the calendar that shows alignment with the proposed school's mission, vision, and goals. As an attachment, please provide the policy of the charter school regarding the retention of the records of pupils. See NAC 386.360 and NAC 392.301 – 392.360. The insurance quote from the agent/broker is incomplete; it must explicitly address NAC 386.215.

While the school's philosophy regarding student behavior; discipline and code of conduct policy; truancy policy and absence policy were clearly articulated and student focused, the discipline and truancy policies are incomplete and must be revised to fully address the criteria. According to the discipline policy, students who arrive without their homework will be expected to call home at check-in and inform their family that they must stay for scholar hour at the end of the day. It is unclear how this will be enforced if the child is not able to stay at school or in cases where there are extenuating circumstances. It is also unclear who will be supervising scholar hour. The policy provides that any unprepared student will be expected to write a letter to their advisory explaining the mistake, its impact on the team, and their solution. It is unclear if this information be shared with other students and how the school will address cases where a student is uncomfortable or struggles with writing.

The area that the applicant is targeting has a high percentage of ELLs that will likely need additional support. It is unclear from this portion of the narrative if the school will have an ELL teacher who can support teachers and students. A signed and dated Title III Assurance Document with all boxes checked was omitted from the application. The attachment describing the applicant's plan to evaluate the school's ELL program is incomplete, as was the attachment which provides a clear, detailed explanation of the proposed school's ELL program. Similarly, the applicant must also revise the attachment describing the plan for monitoring exited ELL students for two years and providing supports as needed to ensure it is complete and meets all the criteria specified in the application. The applicant must develop a plan to identify students who may be coming from other schools that have tested them previously. It is important that students are not screened unnecessarily. The applicant should also specify that Federal law requires that testing occur within the first 30 days of the school year. Federal law also requires that parent notifications must be sent in a language the parents can understand. This provision is not included in the plan. Specific assessment tools for evaluating the progress of ELL students towards English proficiency were not identified. There is no mention of the WIDA Access assessment for ELL students.

A signed and dated Special Education Policy Assurance Document with all boxes checked was not included as an attachment. The applicant must also furnish an attachment that provides a clear explanation of the proposed school's Rtl referral packet and flowcharts. It is not sufficient to provide a boilerplate packet and flowcharts. Rather, these documents must be customized to reflect your school and its structure. Similarly, please provide an attachment with a clear graphical explanation of your proposed school's Special Education continuum of service delivery model (i.e., a flowchart of least restrictive to most restrictive environment that will be implemented in your proposed school). The applicant must provide a similar custom flowchart of the school's continuum of services for Gifted and Talented students.

Essential elements of the required emergency drill and crisis response plans were not provided, as the applicant provided an unresponsive narrative. For example, the provision for emergency drills should be drafted with sample maps which can later be replaced by official maps of the facility. Similarly, the crisis response plan must be provided, less the campus specific materials (e.g. sample maps will suffice). Provisions for the transportation of special education students in emergency situations were unaddressed, nor were safety drills. The required Emergency Management Plan must be provided as an attachment. The current narrative references CCSD nurses; CCSD nurses are not employees of charter schools.

Financial Plan

Rating

- *Does not meet the standard*

Plan Summary

The applicant utilized budget templates from another source. While the inclusion of a five year operating budget provided additional context on the overall revenue and expense picture during a greater portion of the charter term, the decision to utilize a different format precluded thorough analysis of key areas of the budget.

Analysis

Equipo Academy plans on raising \$300,000 in its first year of operation. Since the monies are not confirmed, it is not clear how the school will adjust its budget to meet the needs that would have been financed through the fund raiser if those donations do not come through. Due to the risks associated with assuming philanthropic donations, applicants are urged to be conservative and assume no charitable contributions will be received. Similarly, the Authority's standard guidance directs applicants not to assume Title I funding will be available as such monies are only disbursed following an audit by Authority staff. Moreover, both local and national data indicates that it is far more difficult to secure lunch eligibility information from middle school and high school families.

The school's budget plan for students with IEP's, ELL, and Gifted and Talented was not discussed in detail. More information is needed regarding these critical areas.

Performance Record

Rating

- *Not applicable.*

Plan Summary

There is no evidence of any EMO connection or replication intention in the application.

Analysis

Not applicable.

Evidence of Capacity

Rating

- ***Does not meet the standard***

Plan Summary

The Committee to Form the School consists of seven members with notable qualifications.

Analysis

During the capacity interview, the Committee to Form shared that according to the most recent NSPF data, El Dorado Prep, the current home of the proposed leadership, faculty, and many of the students who want to attend Equipo, was recognized as the only five star middle school serving East Las Vegas.

One committee member was a school leader at a KIPP school in Philadelphia, PA and now serves as a leadership coach for a prominent charter school support organization. The application identified committee members with accompanying resumes that described their educational experiences and described how they had been actively involved in planning the school. Key members include a fundraising professional with prior experience in human resources and a nonprofit executive. The resume of one proposed member, J. Ford, who is described as a finance professional, appears to have been omitted; similarly, the resume of the proposed parent member is not in evidence.

The Committee to Form also includes two teachers who are identified in the application as being licensed in Nevada. However, a review of licensure records indicates that all of the committee members are licensed in the elementary grades. None hold licenses for the grades served in the charter. The committee must be expanded to include at least one teacher who is licensed to teach the grades proposed to be served by the school. In accordance with the guidelines set forth in the application, the licensure number must be provided.

The signed assurances and requests for information were not attached for all members of the Committee to Form. This is a serious omission which must be remedied.

Based on the capacity view, it is evident that the Committee to Form is composed of experienced educators and community leaders who are deeply committed to the mission and vision of the school. A thorough review of the strengths and weaknesses of the application argues for the expansion of the team to include not only a licensed secondary educator to ensure compliance with statute and regulation but also additional individuals with business and legal backgrounds to provide additional perspective and guidance during the planning phase and beyond.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
NE PLUS ULTRA Preparatory Academy's
charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 9

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 45 mins**SUBMITTED BY:** _____

NE PLUS ULTRA Preparatory Academy

Charter School Application Recommendation Report

Proposal Overview

School Name

NE PLUS ULTRA Preparatory Academy

Mission (Application Item A.1.2)

NE PLUS ULTRA Preparatory Academy will provide a personalized, performance-based, arts and technology infused, rigorous program of instruction leading to strong educational outcomes. They will promote academic excellence by identifying and developing each student's interests and creative talents. Students will build and utilize Personal Learning Networks and use active engagement and product-based learning to enhance problem-solving capacity, effective communication, and intellectual virtuosity. NE PLUS ULTRA Preparatory Academy will provide an individualized and supportive learning environment where students flourish emotionally and become college, career, and life ready.

Proposed Location (from Charter Application Cover Sheet)

Washoe County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	Middle/High	6-12	180
Year 2 (2016)	Middle/High	6-12	180
At capacity	Middle/High	6-12	215

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Not applicable

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

The Committee to Form intends to operate a middle/high school using three separate instructional approaches: distance learning, blended learning, and dual enrollment. The school is also envisioned as having a significant arts integration component. The complexity of this plan makes the school unlikely to be academically successful.

Analysis

The school intends to utilize three separate instructional approaches: distance learning, blended learning, and dual enrollment. While the applicant aspires to create a seamless experience for students using these three distinct methods, it is unclear how this will be accomplished. Absent planning, coordination, and a relentless attention to detail that is not evident in the application, the academic program is just as likely to result in a chaotic, unproductive academic experience where pupils are perversely incentivized to opt into the least rigorous or accountable option to meet a particular academic requirement. For example, there is ample evidence in Nevada and nationally of both virtual and hybrid/blended programs which have struggled with limited success to address this and similar challenges. The applicant provides no evidence, beyond sincere desire, to demonstrate that this mélange of instructional models will prove any different.

Insufficient information was provided regarding course content. The applicant has identified a large menu of potential content, including multiple examples of duplicative coursework from several vendors. There is no clear mechanism in place to determine which content is most appropriate to meet a student's academic needs; in many cases it appears as though students will have the option to pick the least rigorous or challenging course or module regardless of whether that is the most appropriate choice. There does not appear to be a well-structured process to monitor student course choices and invest them in taking the content which is most likely to set them up for success in college and career.

The applicant intends to use the Measures of Academic Progress assessment as one tool to track student achievement. It is unclear if the applicant intends to utilize the legacy version of this assessment or the more recently developed Common Core MAP, which is explicitly aligned to the Nevada State Standards. The assessment plan does not reflect current and projected 2015-16 state and SPCSA-mandated assessments: it must be updated to reflect these requirements and included a discussion of how these assessments will be utilized to improve instruction and drive improvement towards 4 and 5 star status.

The formative assessments identified appear more suited to a brick and mortar environment with a larger teaching staff. For example, it is unclear how teachers will systemically and effectively track annotations or employ graphic organizers to assess student progress across multiple grade levels while using a myriad of online programs from different publishers. Similarly, while pre-writing activities, written summaries and reflections based on reading, and evaluations of rough drafts are all excellent potential assessment tools, it

is unclear that the school is structured, staffed, or scheduled to permit teachers to design assessments appropriate to the broad range of age groups represented or provide high quality feedback which meets the needs of individual learners. Insufficient detail is provided to explain how this key element of the program can be implemented with quality and fidelity in three environments: blended, virtual, and dual enrollment, across seven grade levels.

Given the complexities associated with implementing even one of these models, the applicant is strongly encouraged to take the next year to focus attention on one instructional model, redefining the academic program to allow for a stronger, more coherent implementation during the first few years of the charter term. Once the applicant has demonstrated a strong track record of success utilizing one of the chosen modules, there will be ample opportunity to develop additional programming and implementation plans sufficient to petition the Authority to amend the charter to permit other means of delivering instruction.

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

The applicant proposes to deploy most content virtually and to operate one or more small blended campuses to allow students to access teachers and the school leader face-to-face. The operating plan contains significant flaws and discrepancies which endanger successful implementation.

Analysis

The application indicates that the school will operate blended campuses in both Washoe and Carson City, contrary to state law and regulation, as well as distance education and dual enrollment programs.

There is no evidence of any draft or finalized dual enrollment partnership or articulation agreements between the applicant and any local community college or university. Given the increased emphasis that some local colleges have made on growing their own dual enrollment offerings in partnership with local districts, it is unclear whether there is sufficient interest in partnering with another school.

The schedule and staffing plan does not appear sufficient to allow for the high level of student-teacher interaction envisioned in the application to be implemented with fidelity or quality. It is unclear, for example, how the school will ensure that students who travel to the school for additional support in a key content area will be able to consistently get the help they need from a teacher who is licensed in the content area given the workload that teachers will face in managing instruction, teaching classes remotely, and designing and grading high quality assessments for students across a span of seven grades. Absent a clear set of plans and processes, it is likely that students will have a suboptimal experience that will result in further academic struggle and potential disengagement.

The school plans to enact a bring-your-own-device policy, which would allow students to access content from the smartphone, tablet, or computing device of their choosing. There is no information provided regarding the kinds of security and use policies necessary to support a safe, orderly implementation of such a policy in a manner which safeguards student rights. Conversely, the discipline policy appears more appropriate to a brick and mortar school than a virtual or blended institution. For example, the computer/internet policy provides that students may lose access to technology due to certain kinds of misbehavior. In a virtual environment, this is tantamount to a suspension, but there is no provision for safeguarding the rights of students with disabilities under such circumstances. There is insufficient delineation of the kinds of misbehavior which might occur online or outside of school on a college campus versus the kinds of misbehavior that are likely to occur on school grounds and the accompanying jurisdictional issues which might arise from such a complex interweaving of instructional settings.

As a result, the applicant is strongly encouraged to take the next year to focus attention on one instructional model and determine how the Committee to Form's academic design choices can best be supported through a more targeted operating plan.

Financial Plan

Rating

- ***Does not meet the standard***

Plan Summary

Projected enrollment for both FY16 and FY '17 is 180 students, yielding ending cash flow statement cash balances of \$70,123 (FY16) and \$33,966 (FY17). There are a number of key revenue and budget assumptions which much be revisited.

Analysis

The applicant assumed that the school would be able to operate blended campuses in two counties, Washoe and Carson City, contrary to state law and regulation. As a result, the Committee to Form calculated total per-pupil revenue based on the higher multi-district per-pupil rate of \$5,790 instead of the Washoe County rate of \$5,137, although the liaison has indicated that the Committee assumed most students would be from Washoe. The school's expenses are somewhat inflated due to the costs associated with having campuses in both counties.

There is insufficient information on the tuition assumptions that attend the dual enrollment program.

The applicant also assumes that students will use their own devices to access content; the budget does not make any provision for how students of modest means will be able to access the academic program and participate fully in their own education if they are unable to afford an appropriate device or lose the device they typically use to access content.

As a result, it will be necessary to revisit some key budget assumptions. The applicant is also encouraged to review the budgets and cash flow statements to determine what impacts any other programmatic or structural adjustments may have on the financial plan.

Performance Record

Rating

- *Not applicable*

Plan Summary

The Committee to Form does not intend to qualify with an education management organization or replicate an existing school model.

Analysis

Not applicable.

Evidence of Capacity

Rating

- ***Does not meet the standard***

Plan Summary

The Committee to Form the School consists of six members. Five members have been identified as board members while the sixth, the application liaison, has been proposed as the executive director for the school. There is little evidence that the management or governance structure will lead to exemplary student achievement.

Analysis

The Committee to Form the school have backgrounds in areas such as education (3 certified teachers), financial management, and facilities management. No member of the Committee to Form has experience in legal matters. Despite the applicant's aspiration to include a dual enrollment offering as a key component of the academic program, none of the local colleges or universities is represented in either an advisory or governance capacity, raising significant concerns about the degree of social capital that the applicant will be able to leverage to develop strong relationships with local higher education institutions.

Shortly before the scheduled Capacity Interview, the liaison contacted SPCSA to state that none of the members of the Committee to Form would be able to attend the interview. SPCSA staff clarified that there was no opportunity to reschedule the interview, as the Authority views the Capacity Interview as a critical component of the application process which is equivalent to a job interview. In the end, three members of the Committee to Form, including the liaison, arrived. No member of the committee was able to participate by phone. Because one member of the Committee to Form is proposed as the executive director and stated that he was the primary author of the application, the two proposed board members were asked to answer some questions individually. While they were able to speak generally to the mission for the school, these board members, who are both experienced educators, were unable to clearly explain the vision or provide an overview of the academic program. One member was able to provide an anecdote involving a former student who engaged in an arts integration project that was well received by his peers and the community but there was no evidence of any level of planning or strategy on how to accomplish the challenge of a quality arts integration program within the context of virtual, blended, and dual enrollment instruction. The proposed board members were also unable to provide insight into the budget and finances of the proposed school and deferred those questions to the proposed executive director.

As a result, there is limited evidence that the proposed board members from the Committee to Form have the experience or capacity to adequately oversee such a complex academic program. There is also no evidence from the interview that the proposed board members have the capacity to oversee the financial operations of the school or make determinations regarding the organizational risks and benefits of a particular set of board or leadership decisions.

Given the limited knowledge and engagement of the prospective board members who participated in the capacity interview and the evident lack of investment and commitment evidenced by the 50 percent of the Committee to Form which did not participate in the interview, the review team cannot find sufficient evidence to endorse the capacity of this group of individuals to oversee public funds or safeguard the academic welfare of Nevada students.

The overall lack of engagement of proposed board members also raises concerns about the effectiveness of the proposed executive director. Put simply, it is unclear whether an individual who proved unable to attract, engage, and develop a committed group of community leaders, including close associates, will be able to recruit, develop, and retain the exemplary teachers and college partners necessary to effectively deliver on the promises that this school is making to students and families. Similarly, it is also unclear whether such an individual is capable of attracting, investing, engaging, and leading students to high levels of academic achievement. Moreover, it is important to note that the proposed executive director and primary author of this application is also the co-author of two previous charter applications. Despite that level of experience, the application contained numerous technical flaws, including omitting page numbers, rearranging key sections of the application, and significantly exceeding the page limit requirements of the application narrative. Taken together, these flaws also raise significant concerns about whether this individual is the best person suited to implement such a technically complex challenge. Implementing a single high quality program is a significant challenge; running three such programs simultaneously is unlikely to be a successful endeavor for a first time charter school leader.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
River Mountain Academy's charter school
application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 10

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA

FISCAL IMPACT: _____

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY): _____

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 45 mins

SUBMITTED BY: _____

River Mountain Academy

Charter School Application Recommendation Report

Proposal Overview

School Name

River Mountain Academy

Mission (Application Item A.1.2)

River Mountain Academy instills high standards for academic excellence, healthy living choices, responsible citizenship, and environmental concern through place-based education.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2016)	PreK/Elem	K-5	360
Year 2 (2017)	PreK/Elem	K-5	480
At capacity	Not provided	Not Provided	Not provided

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Not applicable

Section 5. Evidence of Capacity

- Approaches the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

The application proposes an academic program which focuses on environmental education and the preservation of the desert ecology as a lens for educating the whole child and instilling high standards of academic excellence and responsible citizenship.

Analysis

The applicant provides an extensive list of contemplated instructional strategies, including gradual release, independent learning, guided practice, peer teaching, cross curricular connections, and brain-based learning, but there is no evidence that these strategies are incorporated into a larger framework and theory of action which determines when a given strategy is most appropriate. Absent that higher level, research-based structure, the referenced instructional strategies appear to be incoherent and disjointed. Consequently, the applicant does not present a strong rationale or compelling, research-based evidence for selecting the proposed instructional strategies. The curriculum section is incomplete and there is insufficient evidence that the content selection was based on compelling, research-based evidence. The courses listed are not fully aligned with the Nevada Academic Content Standards.

The professional development narrative presents a cursory view of the kinds of training that the Committee to Form aspires to offer. The descriptions of contemplated professional development offerings are vague and insubstantial. There is no explicit provision for teachers to receive training in ELL and Special Education programs and protocols, for example. More broadly, professional development connected with the mission and vision of environmental education is not envisioned. There is no plan to develop teacher capacity to effectively manage elementary children and provide high quality instruction in experiential learning settings such as the garden and the turtle sanctuary envisioned elsewhere in the application.

In short, there is insufficient evidence that there is alignment and coherence to the school's curriculum, pedagogy, and professional development plans. The education program would benefit from greater focus and specificity. For example, the application's discussion of student data provides a general list of assessments and a series of factually correct but ultimately uninformative statements around the applications of assessment data. A more responsive answer would explicitly identify key assessments, describe their utility and frequency, and explain the data points which can be gathered from them. A thoughtful, research-based approach would also identify potential weaknesses and deficiencies to particular assessments and would articulate strategies for addressing these limitations to the instruments. There is no discussion of data analysis protocols and processes and no evidence that the general practices identified within the narrative are adequate to develop a data-driven culture that is focused on student achievement.

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

The proposed school would not contract with an EMO. The school leadership would include a principal, a business leader, and an operations leader. There are significant discrepancies in the operating plan.

Analysis

While the narrative implies that the principal will oversee all staff, the organizational chart provided indicates that the principal, business leader and operations leader will all report to the board. This discrepancy must be addressed. Moreover, the provision of both a business leader and an operations leader in such a small school may or may not be advisable. The application would be improved by clearer delineation between the roles both to assist the reviewer and to ensure that there is clarity during the implementation phase.

Absent a complete budget, it is difficult to fact-check key elements of the operating plan, such as staffing. Multiple elements that inform the operating plan are incomplete or only partially responsive. For example, the enrollment projects requested at various points in the application are reported inconsistently. The requested information on the size of the school at full capacity is not provided. The school calendar is not clear and does not address multiple statutory and regulatory criteria.

The discipline policy will need to be revised to provide more appropriate investment strategies and consequences for truancy and other discipline issues as they do not reflect the charter school context. For example, the truancy policy includes the possibility of referral to school district police. This appears to be one of several references to Clark County policies and practices which do not reflect the realities of charter school operations, such as recruiting staff via postings on the Clark County School District website. A comprehensive review of the application for similar language would improve the application.

There are several areas of concern with the proposed program for English Language Learners. For example, there were references to placing small groups of minority language speakers in classrooms with little or no structure or support during the capacity interview. This is inconsistent with the more thoughtful approach outlined in the application, raising concerns about whether the interview commentary or the application's text more accurately reflects the philosophy of the Committee to Form regarding services for English Language Learners. In light of that discrepancy, clarification is in order. Moreover, there are some areas of weakness and omissions in the proposed program. The applicant should be aware that any student whose home language survey is completed in a language other than English must be screened unless there is clear evidence they have been screened or tested previously at another school site. Additionally, Federal law requires that students be screened within 30 days of the start of school. The applicant should also review the criteria for being designated ELL and should differentiate between instruments used for one-time and

annual screenings. A full review of state and federal requirements would provide insights which would further strengthen this section of the applicant.

Financial Plan

Rating

- ***Does not meet the standard***

Plan Summary

Projected enrollment for FY '16 is 360 students and FY '17 is 480 students. The applicant utilized budget templates from another state, precluding thorough analysis of the budget.

Analysis

The applicant must submit a revised budget using the required budget template and providing a responsive narrative.

Based on a cursory review of the budget that was submitted, the school's finances appear to be quite constrained, e.g. the end of year cash position in FY '16 is projected to be a \$1,818,844 deficit. The applicant should carefully review all underlying assumptions to address this weakness.

Performance Record

Rating

- *Not applicable*

Plan Summary

The applicant is not planning to contract with an Education Management Organization or replicate an existing school design.

Analysis

Not applicable.

Evidence of Capacity

Rating

- *Approaches the standard*

Plan Summary

Five members of the Committee to Form are identified in the application, including two licensed Nevada teachers, an accountant, an attorney, and a parent of a prospective student. Due to the close ties between many members of the founding team, significant diversification of the proposed Board is advisable.

Analysis

There are no clear conflicts of interest apparent in the composition of the Committee to Form, although it is evident that the project's founding team has significant personal connections. Two members of the Committee to Form report they are friends who previously worked together at Pinecrest Academy. There is no indication of a supervisory relationship. They co-wrote the application and recruited other friends to join the founding board. The questionnaire of one Committee to Form member, the attorney, was omitted from the application. A review of the resumes supplied with the application reveals that she is employed by the same law firm as the parent of a prospective student. In the capacity interview this individual indicated she was providing pro bono legal services to the Committee to Form and she or a member of her firm would become the attorney of record for the school upon charter approval. After further discussion, she later indicated that that arrangement could change if it was viewed as a conflict of interest.

As noted earlier, one member of the Committee to Form is a CPA. Despite multiple questions related to the proposed budget and expense assumptions, he did not actively participate in the discussion except when asked direct questions. There is little evidence that he has been actively engaged in planning efforts for the school. A review of the resume and questionnaire reveals that there has been some discussion regarding hiring his former employer to conduct the independent audit of the school. As there is no longer an employment relationship, this does not appear to constitute a conflict.

Based on a review of the questionnaires and resumes, only one member of the Committee to Form has any experience serving on a board.

Based on the capacity interview and a review of the questionnaires filed by committee members, there is some evidence of capacity and commitment to support the development, governance, and operations of this school. The Committee to Form would benefit from expanding its membership to include a majority of members who are not close personal or professional associates both to inform the development and refinement of the application and to ensure that governance decisions are evaluated from a broader diversity of perspectives.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Sports Leadership and Management Academy's
charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 11

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 45 mins**SUBMITTED BY:** _____

*Sports Leadership And Management
Academy of Nevada (SLAM NV)*

Charter School Application Recommendation Report

Proposal Overview

School Name

Sports Leadership And Management Academy of Nevada (SLAM NV)

Mission (Application Item A.1.2)

The mission of Sports Leadership and Management Academy of Nevada (SLAM NV) is to prepare students for postsecondary studies and careers through an engaging educational program emphasizing sports leadership and management career preparation. The proposed middle high school program will offer students in grades 6-12 opportunities in career exploration and internships through the following academies in the sports leadership and management arena: 1) Sports Medicine; 2) Sports Marketing and Entertainment Media; and 3) Sports Business and Management.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	Middle	6-9	480
Year 2 (2016)	Middle/High	6-10	600
At capacity	Middle/High	6-12	2,520

Recommendation

Overall Recommendation

Deny: The Committee is encouraged to revise and resubmit the application within the 30-day NRS 386.525 resubmission window. The deficiencies in the application preclude entering into a charter contract at this time, but could be corrected in a manner that does not fundamentally alter the school's proposed program. If corrected to the satisfaction of SPCSA staff and resubmitted pursuant to NRS 386.525, staff would recommend entering into a charter contract.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Approaches the standard

Section 2. Operations Plan

- Meets the standard

Section 3. Financial Plan

- Approaches the standard

Section 4. Performance Record

- Approaches the standard

Section 5. Evidence of Capacity

- Approaches the standard

Education Program Design

Rating

- *Approaches the standard*

Plan Summary

The Committee to Form has articulated a vision where all students will be college and career ready and intends to leverage three high-interest themes: sports medicine, sports marketing and media, and sports management, to invest students, including those who may previously have been disengaged from academic content. The intent is to teach students core content by integrating sports themes into mathematics, literature, social studies, science, and other content areas, offering a sports based curriculum without requiring that students actually participate in sports.

Analysis

While the school plans to support the professional development needs of all professional staff by subsidizing college classes, facilitating the attainment of continuing education credits, and offering trainings, there is no plan for pre-opening professional development identified in the narrative. During the applicant interview it was noted that the school will leverage collaborative trainings with other campuses in Nevada as well as in Florida. While the school intends to employ a sheltered content model for ELL students, there are no references to training in this set of strategies and practices in the discussion of professional development. There is also insufficient information on how teachers will build the capacity to effectively use the technology tools referenced in the application and in the capacity interview, including Springboard and Achieve 3000.

The application and the capacity interview also include references to multiple technology interventions and supports for students, but it is unclear how students will be selected for particular interventions and how the school will determine which interventions are most effective and with which students. Due to the high number of students who are likely to enter the school requiring remediation, it is critical that a coherent, data-driven framework for academic intervention and remediation be developed and implemented at this school to ensure academic success in core subject areas and support students in their progress towards college and career readiness.

Given the academic needs of the target population, it is advisable that the program start with a smaller enrollment and with a narrower grade span to ensure that there is sufficient time to build a strong college and career oriented culture, invest students in their own learning, and build the capacity of the faculty and leadership to implement the model. There is abundant evidence in the charter school literature that startup charter schools serving high need populations, including disconnected or at-risk teens, achieve at higher levels when they open with smaller enrollments and narrower grade spans than schools which open with larger enrollments and broader spans of grades.

The application does not present a coherent vision of what the school will look like in 5-10 years if it is achieving its mission.

Operations Plan

Rating

- ***Meets the Standard***

Plan Summary

The school would contract with an EMO, Academica Nevada LLC, for the provision of business management services and for a menu of other support and advisory functions. The school would also contract with another entity, SLAM, Inc. to license that entity's intellectual property in order to replicate the SLAM campus of Mater Academy in Miami, Florida. The Principal would be an employee of the school's board, not an EMO.

Analysis

The applicant presents a strong operating program which builds on the track record of other Nevada schools which contract with Academica Nevada, LLC. The applicant has a strong grasp of Nevada law and regulation and has articulated processes and procedures which are broadly compliant with the Authority's expectations. The applicant is encouraged to consider how addressing the feedback provided in other sections of the application will impact the operating plan for the school, including staffing, which may have a ripple effect on other elements of the overall systems of the school. For example, if a position is eliminated due to budget reasons as a result of a smaller enrollment, the applicant may need to assign duties laid out in the operating plans to other personnel.

The school should also give particular thought to the likelihood that middle and high school students who have previously been underserved are more likely to have other needs than the basic gamut of programs typically found in other charter schools which have affiliated with Academica Nevada LLC. It would be advisable to demonstrate capacity to anticipate more acute versions of typical adolescent challenges and display a more diverse set of behaviors. For example, support structures for students who are pregnant and parenting, students with identity issues, and students who have experienced substance abuse issues may be necessary to ensure that these students make better choices and are able to participate fully in the academic and social life of the school.

The school's mission references the provision of internships for students as a key part of the program in later years. It would be advisable to develop a more formal, structured approach to such programs and any currently contemplated or future partnerships with businesses or other entities, including potential commitments on number of internships provided, scheduling, supervision of students, background checks for staff, and appropriate means of evaluating both student performance in the program and the performance of the entity providing the internship. The Committee to Form should also research how high performing charter high schools and other organizations with robust, effective internship components provide resources to this work and what lessons can be learned from their experience.

Financial Plan

Rating

- *Approaches the standard*

Plan Summary

The FY '16 enrollment of 480 and the FY '17 enrollment of 600 correspond to end of year cash balances of \$78,801 and \$54,210 respectively. The FY '17 cash flow balance conflicts with an FY '17 ending budget balance of \$133,011.

Analysis

The discrepancy between the ending budget balance and the cashflow end balance for FY '17 must be addressed.

As the Committee to Form considers the programmatic and structural recommendations noted elsewhere in this report, it will be necessary to revisit some key budget assumptions. The applicant is encouraged to review its budgets and cash flow statements to determine what impacts any programmatic or structural adjustments may have on the financial plan. Failure to make appropriate changes to this section to align it with changes made in other areas of the application could result in a lower rating in the event the applicant elects to resubmit following recommended board action to deny the initial application.

Performance Record

Rating

- ***Approaches the standard***

Plan Summary

The Committee to Form Sports Leadership And Management Academy of Nevada (SLAM NV) proposes to enter into two contracts: Academica Nevada, LLC and SLAM, Inc. SLAM NV proposes to engage Academica Nevada to provide administrative services and support to the school for an initial term of two years. SLAM NV will pay Academica Nevada \$450 per FTE student. SLAM NV of Nevada proposes to enter into a trademark license and affiliation agreement with SLAM, Inc. for a fee of 1% of the basic per pupil funding that the school receives. In addition to the use of the trademark, SLAM NV is entitled to receive affiliation services such as training and materials for use.

Analysis

The proposed contracts submitted with the application appeared free from any of the prohibited provisions specified by NRS 386.562.

Academica Nevada, LLC currently has active contracts with four existing Nevada charter schools: Pinecrest Academy, Somerset Academy, Doral Academy and Mater Academy. Somerset Academy became operational in fall 2011 while Pinecrest opened in fall 2012, Doral Academy became operational in 2013 and Mater Academy opened in 2014. In terms of operational performance the Authority's experience with the four schools has been positive. Under the new performance framework Somerset and Pinecrest are high-performing schools. In addition, a review of the audited financials furnished for both schools with more than a year of operating history reveal no compliance or financial management issues. There is strong evidence of the EMO's management success.

According to the application, SLAM currently works with one charter school in Florida. Authority staff conducted due diligence on SLAM's school performance in Florida. The SLAM campus is similar in make-up as SLAM NV in serving middle/high school student populations. That school serves a demographic similar to that envisioned for SLAM NV and received a C grade in Florida's accountability system. Overall, the academic performance of the SLAM model in its home state is not overly compelling, though it is important to note that the SLAM campus in Florida is actually affiliated with the higher achieving Mater Academy schools, which include top tier high schools serving similar populations. Members of the Authority board had the opportunity to visit SLAM's Miami campus and a Mater campus in South Florida to evaluate the strength of the model being replicated. Based on that review, it is evident that while SLAM Miami has a clearly defined, well-structured school culture and high level of investment based on the charisma of the principal, there is a significant differential between the level of focused, intentional instructional leadership modeled at SLAM Miami and at higher achieving schools served by the management company both in Nevada and at schools using related models (i.e. the Mater Academy East High School) under the same board as the SLAM Miami campus. Given the critical role of exemplary instructional leadership in high quality implementations of these academic models, this is an area of concern which the Committee to Form will want to address in any resubmission. The Committee to Form is strongly encouraged to consider the

recommendations in the Education Program and Evidence of Capacity sections as it makes revisions in response to this concern regarding the track record of the school which will be replicated.

Evidence of Capacity

Rating

- *Approaches the Standard*

Plan Summary

The Committee to Form the School consists of six members with notable qualifications.

Analysis

The Committee to Form the school are accomplished professionals with backgrounds in key areas such as business, law, and education, and mission-relevant areas such as high school athletics. A review of the Committee to Form's questionnaires reveals some community associations, but no business or familial ties are evident. One member of the Committee to Form, N. Thompson, noted that she is a current employee of an individual who is a candidate for the Principal position, although this person is not listed as a formal member of the committee. Should this individual join the committee, it would be a potential conflict. Moreover, should that individual be interviewed as the principal, N. Thompson should consult the state's ethics committee to get an opinion as to whether that current supervisory relationship necessitates recusal or other steps. No other conflicts of interest have been identified at this time, though it is important to note that one member, R. Fairless, is the spouse of the principal of another Academica client school campus. As this committee member's spouse is an employee of the client school and not the management company and is hired and evaluated by the school's board and not the management company, there does not appear to be a conflict. In the interest of transparency, the board should consider putting in place standard disclosures on any matter involving the management company to avoid the appearance of a conflict which could undermine the public trust.

There is evidence of due diligence conducted by members of the Committee to Form on the quality of Academica Nevada, LLC's services to its client schools, including conversations with school leaders at other campuses who do not have ties to the Committee and conversations with board members of client schools. Members of the Committee were also able to speak knowledgeably about the terms of the management agreement and discuss its provisions without prompting. While they noted that Academica Nevada, LLC has not been terminated by any client to date, they were able to address the termination provisions in detail while expressing conviction that there was no reason to believe that the school would need to invoke those terms based on the evidence they had reviewed thus far from other client schools.

During the capacity interview, the Committee to Form spoke passionately about the need for an option like SLAM and several described visits to observe an the program's flagship campus in Miami. Given the disconnect between their enthusiasm for the model and the previously stated mixed performance of that school, it is unclear how carefully members of the committee evaluated the strengths and weaknesses of the model in their adaptation of the design to the Nevada context. As discussed previously, one key difference observed during recent site visits to SLAM and other campuses governed by the same board in Florida involves the need for extremely high quality instructional leadership. As the Committee to Form continues to evaluate the contemplated school leader candidate, it will be critical to identify both strengths and opportunities for growth related to this individual's capacity for instructional leadership and determine what additional supports this candidate will need and what adjustments to the model are required to ensure that the school achieves 4 or 5 star status consistently. As discussed previously, opening the school with a smaller enrollment and with a narrower grade span is more likely to result in high academic

achievement. Moreover, it will also provide greater opportunity for a school leader who is developing his or her instructional leadership capacity to focus more attention on teaching and learning and less time on the building management and academic operations tasks which typically consume administrators in Nevada's comprehensive high schools.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Sterling Charter High School's charter school
application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 12

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 45 mins**SUBMITTED BY:** _____

Sterling Charter High School

Charter School Application Recommendation Report

Proposal Overview

School Name

Sterling Charter High School

Mission (Application Item A.1.2)

The mission of Sterling Charter High School is to improve academic achievement by providing rigorous academic and social skills instruction that will lead to student success in school, within their lives, and within their community.

Aligned with Sterling's mission, the school will target students who are disadvantaged and at risk of academic failure due to academic, social, or economic factors. They will also work with youth referred to Sterling because of disciplinary issues, such as school expulsions, and will work with students who have dropped out of high school.

Proposed Location (from Charter Application Cover Sheet)

Clark County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	High	9-12	200
Year 2 (2016)	High	9-12	350
At capacity	High	9-12	400

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Approaches the standard

Section 3. Financial Plan

- Approaches the standard

Section 4. Performance Record

- Does not meet the standard

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- *Does not meet the standard*

Plan Summary

The proposed school plans to graduate students who have been disengaged, dropped out, or otherwise unsuccessful in school with an actual diploma rather than a GED. The program aims at helping students develop social skills, leadership skills, and parent re-engagement through bi-weekly meetings, court mandated parent involvement, and a the EMO's intake process.

Analysis

The present Nevada School Performance Framework does not include an alternate evaluative standard for alternative schools. While this may be addressed in the future, it is not clear that the proposed school is structured, resourced, or planned sufficiently to ensure that it can be successful under the current standard. The disengaged and dropout youth the applicant has targeted will require significantly greater support than the program identified in the application to meet the targets (e.g. attendance, academic, graduation, college coursework level) expected of all Nevada high schools. In light of this context, the applicant must specifically address the strategies and tools it will use to ensure that it is positioned to achieve at the expected 4 and 5 star level in each domain which informs the performance framework.

The applicant articulates an ambitious, performance management-based approach to data driven instruction but does not provide sufficient information on the Key Performance Indicators which will be tracked as leading and lagging indicators of student performance and achievement of the targets specified in the Nevada Performance Framework. There is also insufficient information on calendar and timelines for program evaluation and a clear articulation of the process for continuous improvement.

The applicant presents an overview of the professional development which will be provided to teachers. The professional development narrative mentions several strategies, including informal observation, job-embedded coaching, and processional development workshops. Insufficient detail and discussion is provided to permit reviewers to evaluate the rigor and potential effectiveness of these approaches in the context of this school, including a discussion of the needs of its students and the skills and behaviors which the school will select for and inculcate into its teachers to ensure the school meets the standards set under the current Nevada Performance Framework.

The applicant intends to rely on the Measures of Academic Progress assessment to track student achievement. It is unclear if the applicant intends to utilize the legacy version of this assessment or the more recently developed Common Core MAP, which is explicitly aligned to the Nevada State Standards. While a desire to remain consistent with other EMO-managed schools may be a persuasive argument for retaining the older assessment, it is not a sufficient reason to require a Nevada charter school to utilize an outdated instrument. The assessment plan is does not reflect current and projected 2015-16 state and SPCSA-mandated assessments: it must be updated to reflect these requirements and include a discussion of

how these assessments will be utilized to improve instruction and drive improvement towards 4 and 5 star status.

The course descriptions provided are incomplete. They do not contain every course outlined in the schedule of courses, the graduation requirements, or to the student daily schedule. There are also references to numerous elective courses but it is unclear if these include additional, more demanding academic content or if these are composed of enrichment or other activities. In the event that electives may vary from year to year, a discussion of how elective topics will be determined and how the school will ensure that selected electives further the school's mission of college and career readiness must be included. Such a narrative must also address the process for ensuring that such content meets relevant requirements for course credit and/or college admission and the process and timeline for any necessary approvals of such courses.

Given the acute needs of the proposed student body, the high standards set for all schools under the Nevada Performance Framework, and the history and lessons learned from high performing schools serving similar populations, the applicant is strongly advised to resubmit the application with a narrower initial grade span and lower enrollment. If the applicant does not make that adjustment, the programmatic changes which must be made to fully address the academic and non-academic needs of students and ensure attainment of the Nevada School Performance Standards likely will be of such a degree that they would significantly alter the nature of the application.

Operations Plan

Rating

- ***Approaches the standard***

Plan Summary

The proposed school would contract with Rite of Passage, an Educational Management Organization (EMO), to assist with the provision of educational services at the school. The school would not provide distance education courses and/or programs. Under the management agreement, the principal and all teachers and support staff would be employees of the school rather than the EMO.

Analysis

The assessment and accountability plan references the use of PowerSchool. The applicant should be aware that the student information system of record for all SPCSA-sponsored charter schools is Infinite Campus; this requirement is likely to be expanded statewide during the next biennium. Appropriate plans will need to be put in place to ensure that any analytics functionality which is driven by PowerSchool can either be ported to Infinite Campus or the EMO may need to explore other options, including negotiating the development of a custom data interchange tool. To the degree that a school or EMO partner wishes to utilize a separate SIS or LMS tool in addition to Infinite Campus, it is important to note that the data contained therein may supplement, but not supplant the official pupil records and data contained in the official SIS.

In the capacity interview, members referenced hiring “the right teachers,” indicating that the model envisioned is dependent on human capital as a key driver of its theory of change. Given that key driver, the application does not provide adequate information on the skills, behavioral competencies, and other essential qualities necessary to be the “right teachers” for such a high need population. Moreover, insufficient detail is provided on the steps that will be taken to ensure the school selects the “right teachers” during the interview and hiring process.

As discussed previously, the applicant is strongly advised to resubmit the application with a narrower initial grade span and lower enrollment. The applicant is encouraged to consider how addressing the feedback provided in other sections of the application will impact the operating plan for the school, including staffing, which may have a ripple effect on other elements of the overall systems of the school. For example, if a position is eliminated due to budget reasons as a result of a smaller enrollment, the applicant may need to assign duties laid out in the operating plans to other personnel.

Financial Plan

Rating

- *Approaches the standard*

Plan Summary

Projected enrollment for FY16 is 200 students and FY17 is 350 students, yielding ending cash flow statement cash balances of \$18,781 (FY16) and \$257,063 (FY17).

Analysis

The budget narrative states that the school has forecasted revenue conservatively. The revenue estimates include federal monies for which the school may not be eligible. A more appropriate, conservative approach would be to estimate little or no federal entitlements. The revenues for Year 1 also include a “reserved opening balance” of \$3,510 but the source of these funds is not clear.

The budget narrative’s revenue contingency plan is marginally responsive. The narrative notes that a loan from the EMO may be necessary to cover expenses in the event of an expense increase or a revenue shortfall. The text also notes that “such a loan will be needed to help start-up expenses for Sterling’s campus” but no information on the terms of the loan are discussed in the budget narrative. The applicant also states that it will explore opportunities to raise funds from a variety of federal and private sources, including not only such standard programs as Title I and e-Rate, but also from highly competitive funding sources which seem overly ambitious in light of the limited data on the academic performance of the EMO, such as the Broad Foundation and the i3 Validation Project.

As the Committee to Form considers the programmatic and structural recommendations noted elsewhere in this report, it will be necessary to revisit some key budget assumptions. The applicant is encouraged to review its budgets and cash flow statements to determine what impacts any programmatic or structural adjustments may have on the financial plan. Failure to make appropriate changes to this section to align it with changes made in other areas of the application could result in a lower rating in the event the applicant elects to resubmit following recommended board action to deny the initial application.

Performance Record

Rating

- ***Does not meet the standard***

Plan Summary

Sterling Charter High School intends to contract with Rite of Passage (ROP), a Nevada nonprofit corporation and Educational Management Organization. According to the contract included in the application, Sterling Charter High School South intends to engage ROP to provide educational, administrative and financial services and support to the school. Rite of Passage will charge the school 10% of the total revenue received by the school from state sources. The contract also provides that, subject to federal laws and regulations, the EMO will receive 10% of any federal funds that the school receives directly from the federal government, excluding National School Lunch Program dollars. Sterling Charter High School South would be responsible to reimburse ROP for all expenses paid by ROP including, but not limited to, personnel costs, curriculum, supplies, supervision and behavior management of students.

Analysis

The contract contained within the application appears to not contain any of the prohibited provisions as specified in NRS 386.562 or the Nevada Administrative Code.

Rite of Passage is a national provider of programs for troubled and at-risk youth who are referred to Rite of Passage from social services, welfare agencies, and juvenile courts. This organization manages a wide-range of services which include community-based services, day schools, academic-model facilities, and gender specific treatment and secure facilities. Most of the youth referred to Rite of Passage are admitted to secure treatment or residential programs managed by Rite of Passage; however, Rite of Passage has created partnerships with various educational entities enabling youth at their treatment/residential facilities the opportunity to graduate from high school.

The EMO provided audited financial statements for only two of its managed schools: Crescent Leadership Academy in New Orleans and Ridge View Academy in Denver, CO. No deficiencies were evident in either audit. It is unclear if those are the only two schools for which it provides financial management services, making it difficult to conclude if these were intended as representative audits which are reflective of a high quality financial operation or if there are financial management issues which have not been disclosed by the EMO. Additional detail and copies of all current audits for schools for which the EMO provides financial management must be provided in any resubmission.

The applicant's report on the academic performance of Rite of Passage students was unresponsive: while the Existing Schools Information Template identified two schools, the aforementioned New Orleans school and Southwest Leadership Academy in campus in Phoenix, the academic report furnished by the applicant did not provide student achievement data on either school. Instead, it focused on another subset of Rite of Passage schools. It is unclear why academic performance data on these schools was omitted. Moreover, several of the Rite of Passage-managed schools which the Authority has previously identified as charter schools did not have any academic or financial data reported. Based on the fragmentary and ultimately

unresponsive data and artifacts provided, is unclear if the EMO has an undisclosed history of cancelled contracts and closed schools or if these inconsistencies reflect other deficiencies.

The applicant must resubmit a complete, responsive set of audits and academic performance data for the charter schools under the management of the proposed EMO, making a clear case for why a particular school's data may not apply to the Nevada context. Moreover, the applicant must also take care to identify any instances where the EMO's performance meets or exceeds targets which it can argue correspond to data points that indicate high achievement on the Nevada School Performance Framework. In the event that such results are not typical of the EMO, the applicant should provide a discussion of the lessons that can be learned from these outlier results and what steps will need to be taken by the Committee to Form and the EMO to adapt the program outlined in this application to more fully meet the needs of students and ensure exemplary performance on the NSPF.

Evidence of Capacity

Rating

- *Does not meet the standard*

Plan Summary

Six members of the Committee to Form are identified in the application, including licensed Nevada teachers and individuals with experience in accounting and human resource matters. One individual is a former paralegal.

Analysis

The applicant attempted to reschedule the interview at the last minute. Despite being informed that the Capacity Interview was the charter application process's equivalent of a job interview for prospective board members and identified staff, only two members of the Committee to Form attended the interview. No member of the committee was able to participate by phone. These individuals were largely unfamiliar with the application and unable to articulate the school's mission and vision without reading directly from the application itself. The applicants struggled to answer inquiries related to the application and attempted on multiple occasions to defer substantive questions to the seven members of the EMO's staff who either participated by phone or observed the interview in person. While the two individuals who attended the capacity interview spoke passionately about what they hoped the school would accomplish for disconnected youth, there is limited evidence that the vast majority of prospective board members on the Committee to Form have sufficient levels of engagement and knowledge of the application to effectively govern the school.

The applicant group is well-represented from the spheres of government, human services, and education. It is unclear if the financial management and legal expertise of the committee, while compliant with the law, is at the level of expertise and experience essential to ensure proper oversight of what will rapidly grow to be a multi-million dollar entity and ensure appropriate and independent oversight of the education management organization. The review team was unable to question the members of the committee with backgrounds in those areas due to their absence at the capacity interview.

Additionally, a review of the questionnaires filed by individual members reveals that one member of the Committee to Form is a former employee of the EMO, Rites of Passage, Inc., and four out of the five other members of the Committee to Form joined the committee at the invitation of other current or former employees of the EMO. The documented overlapping relationships between Committee members and current and past employees of the EMO and the role of current and former EMO staff in recruiting all but one member of the Committee to Form raise serious concerns about the degree of independence that this board will have from the firm which it will be contracting for management services. It is unclear if there are unidentified conflicts of interest as only two members of the Committee to Form attended the Capacity Interview.

Based on the capacity interview and a review of the questionnaires filed by committee members, there is insufficient evidence of adequate capacity or commitment to support the development, governance, and operation of this school from the Committee to Form.

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Y.E.S. Academy of Performing and Fine Arts'
charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 13

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Director, SPCSA

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 45 mins

SUBMITTED BY: _____

*Y.E.S. Academy of Performing & Fine
Arts Charter School*

Charter School Application Recommendation Report

Proposal Overview

School Name

Y.E.S. Academy of Performing & Fine Arts Charter School

Mission (Application Item A.1.2)

Y.E.S.'s mission is to prepare 7th through 12th grade students with strong personal interests in the arts to successfully pursue entry into an institute of higher learning and/or a career in performing arts by channeling their unique skills and talents through an intense, integrated academic and arts program which focuses on a whole person developmental approach to learning in unity with high academic and artistic standards.

Proposed Location (from Charter Application Cover Sheet)

Washoe County

Enrollment Projections (from Charter Application Cover Sheet)

Opening Year	School Type	Opening Grade(s)	Projected Enrollment
Year 1 (2015)	Middle	7-8	150
Year 2 (2016)	Middle/High	7-9	200
At capacity	Middle/High	7-12	300

Recommendation

Overall Recommendation

Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Not applicable

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Rating

- ***Does not meet the standard***

Plan Summary

YES proposes to improve academic achievement for students in grades 7-12 with a program that focuses on the fine and performing arts as a core element of the instructional day. The school also plans to focus on college and career readiness.

Analysis

The Education Program did not meet criteria for approval due to a number of reasons, the most prominent of which are discussed below. The application does not meet standard due to a number of unmet evaluation criteria.

The applicant presents compelling vision, mission, and purpose statements which are grounded in the shared beliefs and philosophy of the Committee to Form. It is clearly evident that the founding group is deeply committed to improving pupil outcomes for underserved populations in Washoe County. Based on a thorough review of the application, it is not clear that the Education Program outlined in the application will be sufficient to meet the needs of such students.

In some areas of the application, there are references to staff with experience in the Expeditionary Learning academic model, but these appear to be isolated artifacts instead of evidence that Expeditionary Learning will drive the academic program. The discussion of the school's proposed curriculum cites NRS guidelines and provides only a cursory discussion of this key component of the program. Specifically, the application lacks specificity and sufficient detail for reviewers to evaluate the proposed program or its strength in targeting special student populations. The application submitted contained significant omissions, including an incomplete course schedule which does not include specific classes that satisfied the requirements for any of the core subjects. The application also did not include the standard requirements of physical education. Taken together, these omissions and oversights raise significant concerns about the suitability of this academic program, at this phase of its development, to improve pupil learning and raise student achievement to levels reflecting 4 or 5 star status.

The assessment plan is similarly vague, lacking a rigorous approach to assessment. For example, the applicant's statement that "during the first few weeks of school, certain data is collected on students" could be better supported by identifying exactly what instruments will be utilized, when the data will be collected, and how the data will be utilized. In total, the narrative does not reflect a formalized assessment plan which would permit the school or its board to determine individual student and school-wide needs or evaluate the effectiveness of interventions.

The school's professional development plan and strategies presented a menu of options without sufficient evidence of alignment to the academic and school culture elements of the plan. The professional

development opportunities outlined in the narrative are broad enough to reflect the professional development plan of virtually any school; there is no evidence strategic, targeted professional development which is relevant to the projected needs of this school or its faculty, staff, and students. Of particular concern was the reliance on Washoe County as a primary source of professional development for school leaders. No evidence was provided to confirm such plans (e.g. a letter of commitment from the Washoe County School Board) nor is there a strong history of the provision of such services to SPCSA-sponsored charter schools.

The review team's overarching concern was that elements of the Education Program lacked detail, coordination, and frequently were not aligned with other aspects of the proposal. For example, the proposed school's name and mission implies that the arts and performing arts are critical components to the school's theory of action; however, the applicants intend to rely upon unlicensed instructors from unnamed partner organizations to provide content and instruction—a significant delegation of the core instructional program referenced in the application and a violation of NRS 386.590, which explicitly requires that charter schools focused on the arts and humanities must employ licensed teachers to provide instruction in those subjects, as they are considered to be core parts of the academic program.

It is unclear how this deficiency can be remedied without such significant, material changes to the proposed academic program outlined in the application which would constitute a new, ineligible submission instead of a revision of the original application. The Committee is strongly encouraged to research other charter schools which have effectively served high needs populations, including, as appropriate, Expeditionary Learning schools, and develop a new academic program which reflects their beliefs and values while offering far greater likelihood that the school will be an academically successful institution.

Operations Plan

Rating

- ***Does not meet the standard***

Plan Summary

An Executive Director would serve as the overall leader of the school. A Principal would supervise day to day operations. Candidates for both positions are identified in the application. While the school would use neither an EMO nor distance education, the school anticipates numerous partnerships with the arts community.

Analysis

Based on the application and the interview the review team has significant concerns around the operating and staffing plan for the proposed school. In the capacity interview the applicant indicated that they were planning to partner extensively with local community organizations, including the arts community, to provide many of the services outlined in the school's program. There is no evidence that such partnerships have been negotiated to date, e.g. term sheets or contractual documentation. Moreover, the applicant communicated an assumption that these programs would be funded via grants to these partners from third parties. It is inadvisable for core academic programs to be operated by third party volunteers who would be funded via donations, as this could result in the school being unable to offer essential elements of its school model due to the behavior of unaccountable partners and the unpredictability of external funders. Organizations which rely on philanthropy to fund core elements of the program must dedicate substantial resources to fundraising and to constant development and cultivation of the entity's political and social capital. As a budget was not provided and the capacity interview indicated that little analysis of the costs and resources necessary to raise significant amounts of private philanthropy, there is no evidence that the Committee to Form or the proposed leadership has the capacity or track record necessary to attract funds sufficient to cover the costs of these partnerships in the event the partners were unable to fundraise on their own.

At numerous points in the application, the applicant states an intention to comply with statutory or regulatory provisions related to school operations without presenting a coherent, school-based plan to meet these requirements. For example, citing NAC 386.360 and NAC 392.301-392.360 as the retention policy of the charter school instead of developing a clear plan, including policies and procedures which reflect the academic, operating, and governance context of the school is insufficient, as it does not specifically tell how the school will adhere to those guidelines.

Financial Plan

Rating

- ***Does not meet the standard***

Plan Summary

The applicant did not submit a budget, precluding analysis of the applicant's financial plan.

Analysis

The applicant did not provide a budget; this is a significant omission which raises concerns about the ability of the organization both to effectively manage its operations and to meet the numerous stringent reporting requirements with which schools must comply.

Performance Record

Rating

- ***Not applicable.***

Plan Summary

There is no evidence of any connection or replication intention in the application. While the proposed school shares a name with a high-performing charter school network in Texas, this is coincidental.

Analysis

Not applicable.

Evidence of Capacity

Rating

- ***Does not meet the standard***

Plan Summary

The Committee to Form the School consists of eleven members, two of whom are related. One related individual is the proposed board chair; the second is the proposed Executive Director. A third individual on the Committee to Form has been identified as the proposed principal.

Analysis

The Committee to Form the school are professionals with a clear interest and desire in charter schools and evident enthusiasm to provide a quality choice for Washoe County families. The Committee is commended for bringing forth the idea of Y.E.S. Academy; however, questions and concerns exist regarding the composition of the Committee (and future board) that largely stem from the lack of clarity found within the application and interview.

Two of the members of the Committee to Form are related: J. Wynn and E. Wynn, who are married. J. Wynn was identified as the likely board president. E. Wynn was identified as the proposed executive Director. No strong rationale (e.g. rural school status) exists to justify why these relatives serve on the Committee to Form or why the entity charged with overseeing school leadership would be led by someone married to the Executive Director. Such conflicts of interest, if they continue to exist, must be managed and clearly discussed in the school's bylaws. Absent a revision which conforms with this expectation and an application narrative which presents a compelling case for such a structure, this conflict strongly argues against approval of the application. Moreover, in the event that one or the other conflicted members elects to withdraw from the Committee to Form, the bylaws and any performance agreement entered into by the Authority must include language which would explicitly forbid the re-emergence of that conflict or a similar arrangement following the approval of the charter.

The proposed principal is a veteran Washoe County administrator with clear ties to the community. The capacity interview provided compelling evidence of his passion for the model and his desire to serve this student population. It is unclear whether these community connections and obvious commitment to the mission and vision of the school make him the most qualified person to provide the level of transformative instructional leadership essential to ensuring that the school's high-need population graduates college and career ready and the school consistently achieves 4 or 5 star status. He is an accomplished professional, but a review of his resume reveals that his achievements reside more in the domains of school operations, discipline, and community and governmental partnerships. Absent significant revisions to address how the school will fund and implement strategies to either develop these capacities within the candidate principal or support him by attracting and retaining an instructional leader to oversee all areas of academics and school culture, there is not sufficient evidence that the proposed charter school has the capacity to be academically successful.

SUPPORTING DOCUMENT**S U B J E C T: Member Comment**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 14

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): none**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins****SUBMITTED BY:** _____

SUPPORTING DOCUMENT**S U B J E C T: Next meeting date**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: October 27, 2014

AGENDA ITEM: 15

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins****SUBMITTED BY:** _____